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If the individual who attempts to write this History were a politician in the ordinary sense of the word, he might reasonably question his own motives in undertaking the task, and his fitness for conducting it. He has one sole political object in view—that of assisting, however humbly, in carrying forward that spirit of improvement which, it may be safely said, has been more steadily called forth during the period of which he proposes to treat, than in the whole previous period from the Revolution of 1688. The acknowledged difficulty of writing contemporary History is chiefly to be found in the almost unavoidable domination of faction or sect, of class-opinions at the very least, over the spirit of impartiality with which History must be written, if it is to have any permanent value. But if the writer of contemporary History constantly asks himself, whether the particular course of events which he has to describe is a course of Progress—if it is advancing the two great conditions of Civilization, the progress of Society and the progress of Humanity—the development of political good in alliance with individual improvement—he has some better guide than the declamations of the hour, than demo-

any new one wholly triumphant—he learns to be tolerant amongst the practical toleration which surrounds him on every side, and is content, especially if he have passed the day of too sanguine hopes, that a state of progress shall also be a state of compromise.

During the thirty years which he is thus about to look back upon, the writer has not been an

yet, as have thus carried him away from political partisanship, to fix his regards upon the permanent results of passing events. If he can carry out his own intentions, he may now review the events which deeply excited him in the ardour of youth with the same calmness that he would trace the records of another century. The lapse of a few years reduces all public affairs and

public actors to their due proportions; and thus it is, that to the man of ripe age, who contrasts his own memory of passing occurrences with their permanent traces, the historical aspect of national events gradually supersedes the dim impressions of his first impulses and prejudices. To the young man, the public affairs even of his own boyhood at once assume an historical importance, if he studies them at all. To give the young, especially, the means of forming a judgment upon the circumstances which influence their own times—for the policy of to-day is only the result of the policy of a previous period, a link of an unbroken chain—is the best apology for the attempt to write contemporary history. The writer of the proposed 'History of England during the Thirty Years' Peace,' in undertaking the difficult task of speaking of recent actions and occasionally of living agents, knows that his only safety lies in calm and dispassionate inquiry. He makes no claim for support beyond what he hopes may be conceded to Industry and a Love of Truth. He will spare no pains to arrive at right conclusions by a diligent examination of facts;—he will endeavour to resist every temptation to present facts in any other spirit than that of Justice.

We have thus referred to what is usually termed the *History* of a period—that is, the narrative of its Politics, Domestic and Foreign—its actions and its opinions, its conflicts and its agreements, Civil and Religious, as expressed, for the most part, in the History of its Legislation. But in our days the course of events is essentially governed by the ruling spirit and condition of the People. Never, at any period of our history, were the energies of the Nation so wonderfully called forth, as viewed apart from the direction and influence of Government. Private Capital, chiefly in association, has accomplished enterprises of the most gigantic character—enterprises which could only have been carried forward by the Accumulations of Industry, which, for twenty years previous to the peace of Europe, we had been burying in many a bloody battle-field. Of such enterprises it used to be said,

"These are Imperial Works, and worthy Kings."

If we say,

These are the People's Works, and worthy Freeman.

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But it is not the accumulation of Capital alone that has given the great impulse to the immense physical improvements of our times. Capital has been working with Science, and with improved economical arrangements; and these again have been left free, with some striking exceptions, to do their proper work, through the intellectual advancement of great masses of the people. Where the people are not so advanced, there is a combat still going on between elementary principles and baseless prejudices. Little as the Government has done for the Education of the People, that animating power has proceeded at a rate which the most hopeful amongst us could scarcely have dared to look for a quarter of a century ago. It is not only that the mass of the People have been taught to read, but that the new ability to become readers, which the millions of this generation have acquired, instead of the thousands of the last, has created a new era in Literature. Books for the professional scholar—technical books—are as essential as ever. But *Class Literature*, aspiring to be popular, but founded upon narrow conventionalities, is nearly at an end. What is to be of present influence and enduring value must now be Literature for All.

It is a necessary consequence of this Diffusion of Knowledge, that those who, for the want of a better name, are called the Working Classes, have, during the period of which we are about to treat, been raised far higher than at any previous period in the scale of social importance. Whatever they may be destined to gain in direct political power depends upon their progress in the career which is now opened to them; but of one thing we cannot doubt—that the People, in the largest sense of the word, have become, during this period of general improvement, of far higher consideration, as an essential element of political calculations, than at any previous period. A beginning has at any rate been made in the conviction that, without reference to their physical comforts and moral cultivation, all improvement is in a great degree valueless. The health, the convergence, of the mass of the people, the promotion of their innocent pleasures, the cultivation of those tastes which do not depend upon wealth or leisure, the formation of Parks, the opening of Museums, the unlocking of the doors of those inheritances which they received from their forefathers—have become, for the first time, objects of Legislative care. How much remains to be done we need not say. How much misery is still to be removed, how many benefits are still to be imparted, may be collected from the memorials of what we were thirty years ago. Our advance may show us that we are on a track which, however difficult, is growing more smooth and more safe, with pleasant vistas that seem to lead to glorious summits. We cannot doubt that everything may be attained, when the belief which those years of Peace have brought to many shall become universal, that to prosper and to be safe, is to do Justice to All; and to cultivate that spirit of Brotherhood which can alone render the inequalities of society comparatively easy to those who have to bear the heavier burdens.

It is with reference to the objects which we have thus imperfectly indicated, that we think the History of our Thirty Years' Peace should be written. We approach the great subject with a sincere diffidence; but we do not enter upon the task rashly, and without preparation. Some assistance we shall have, in the way of suggestions, from friends who have peculiar sources of information. We accept their materials with gratitude, but without pledging ourselves to any dereliction of our responsibility in the employment of them.

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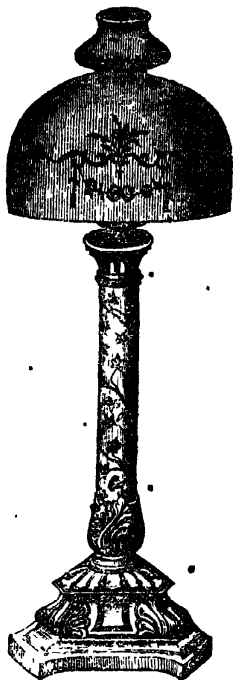
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obliged to this work for his first clear notion of that antique system of things under which the chief priest of the royal chapel was *ex officio* the confessor of the sovereign, 'the keeper of the king's conscience;' and also, and as naturally, his chief secretary, intrusted with the Great Seal, the *clavis regni*, by which communications to foreign powers, or orders commanding particular courts or officers to attend to the cases of subjects who had petitioned the throne as the source of justice, were alike authenticated. The Chancellor had a place from the first in the *Aula Regia*, but his place there was a subordinate one until the abolition of the office of Great Justiciary: and even after that event, the importance and dignity of the *custos* of the Great Seal appear to have grown by not rapid steps, and to have reached their ultimate point solely in consequence of the commanding personal characters of some two or three among the Anglo-Norman churchmen who sat on 'the Marble Chair over against the middle of the Marble Table,' at the upper end of Westminster Hall—which chair and table were still extant in the days of Dugdale. The inferior clergymen of the chapel royal assisted the chief priest in all his various departments of duty, and it was with a view to the proper reward and advancement of these sub-chaplains, under-secretaries of state, and *masters in chancery*, that the *Conscience-keeper* was originally intrusted with the ecclesiastical patronage which still attaches to his office. He himself was considered as entitled, when he had filled the marble chair for some space, to be promoted to the mitre; in the majority of cases, however, he was already a Bishop, in not a few Archbishop, before he became Chancellor; and the office of Papal Legate was frequently superadded to all these weighty burdens.

The earliest recorded Chancellor, Augmentus, is supposed to have been one of the Italian priests who accompanied Augustine on his mission to the court of Ethelbert. The fourth after him, and the earliest of whose personal history we have any precise information was Swithin, ordained priest in A.D. 830, and selected by King Egbert for chaplain to himself, and tutor to his son Ethelwulf. In the reign of the latter he was at once Chancellor and prime minister, and Bishop of Winchester, and (highest of all his distinctions) intrusted with the education of Alfred. Swithin is said to have given Alfred his taste for the poetry of the Scalds; and as he accompanied the prince on his pilgrimage to Rome, the seventeenth Bishop of Winchester may be supposed to have had some pretensions also to classical learning. About fifty years after his death he was canonized by the papal see, in grateful remembrance, no doubt, of his having established in England the payment of 'Peter's

'Peter's pence.' St. Swithin too has the credit of having procured the first Act of the Wittenagemot for enforcing universal payment of tithes; which circumstance may possibly account for the place he still occupies in our own Calendar. He died July 15th, A.D. 862; and his parting command was that he should be buried in the churchyard of Winchester, 'ubi cadaver et pedibus prætereuntium et stillicidiis ex cælo rorantibus esset obnoxium;' but upon his canonization it was thought proper to remove the relics to the high altar of his cathedral, and this violation of his injunctions was only averted by the direct interference of the Saint, who sent down a deluge of rain that lasted for forty days, and which, as we are all aware, is still repeated as often as the 15th of July is a wet day; whereas if St. Swithin's day be a fair one, we are sure of thirty-nine fine days more to succeed it.

Lord Campbell has been able to discover only one decision of Lord Chancellor Swithin's. The line was not as yet accurately drawn between equity and common law cases, for an old woman approached this high magistrate with a complaint, that on her way to market that morning a certain rude peasant had shoved her about, inasmuch that every egg in her basket was broken. The right reverend holder of the Great Seal, instead of sending the case to a jury, was pleased to proceed in a summary manner—'damnum suspirat, misericordiâ mentis cunctantem miraculum excitat, statimque porrecto signo fracturam omnium ovorum consolidat.' The reporter is William of Malmesbury (242); but we shall no doubt have more about the miraculous reconsolidation of the plaintiff's eggs in some early number of the '*Lives of the English Saints.*'

Chancellor Swithin was a man of peace; but for several centuries after him we find his office held, with rare exceptions, by eminent churchmen who were also, whenever occasion tempted, efficient leaders of armed men, not a few of them distinguished by personal acts of prowess in siege or battle. One of the most redoubted soldiers that ever rose to the marble chair was Lord Chancellor Thomas à Becket; but the noblest combination of military and legal renown was exhibited in the person of Ranulphus de Glanville, who as Great Justiciary of England overshadowed all that immediately followed à Becket as keepers of the Great Seal—for this magistrate not only commanded in chief when a king of Scotland was taken prisoner, but wrote a book on the Laws and Constitution of England, which must still be studied by all who would acquire a critical knowledge of them as they stood in the first century after the Conquest, before they were modified by the Magna Charta of King John. Lord Coke sums up his enthusiastic eulogy of Glanville in these words: 'vir
B 2 præclarissimus

præclarissimus genere, qui provectiore ætate ad terram sanctam properavit, et ibidem contra inimicos crucis Christi strenuissime usque ad mortem dimicavit.'

One of the Chancellors whom this really great lawyer and great man overshadowed was Geoffrey Plantagenet, natural son of Henry II. by Fair Rosamond, who was placed in the see of Lincoln while in the twentieth year of his age, and held it for seven years, during which he served gallantly in the wars at the head of 140 knights from his bishopric, but never would take holy orders, and the Pope insisting on this point, at last resigned his mitre rather than comply. To console and compensate him for the loss of Lincoln, his father made Geoffrey Chancellor. It was not till long afterwards that he laid aside his aversion to the priestly vows, and became in a regular manner Archbishop of York, in which dignity he died.

Another noticeable Chancellor of that age was Walter de Gray—honourably noticeable as having resigned his office rather than affix the Great Seal to the shameful deed by which John resigned his kingdom to the Pope—noticeable also as having been afterwards, when recommended for the mitre of York, strenuously objected to by the chapter as 'minus sufficiens in literaturâ.' The Pope being appealed to, resisted also on the ground of the ex-chancellor's 'crassa ignorantia,' which the ex-chancellor seems to have admitted, pleading as a set-off nothing more than 'virgin chastity' and other virtues, which would not apparently have overcome the hesitation of the Holy Father, unless De Gray had superadded a present of 1000*l.*—equal to not much less than 100,000*l.* now! It should be added, that this Archbishop lived afterwards a life of extreme mortification, and purchased by his savings, and bequeathed to his See, the manor and palace of Bishop Thorpe, where his successors still hold their provincial state, and York Place in Westminster, which they in like manner occupied till Wolsey resigned it to Henry VIII., when it was new-named Whitehall.

Among all these clerical Chancellors we think there occurs but one who did not ultimately reach the mitre. This was John Maunsel (A.D. 1246), who while holding the Great Seal became Provost of Beverley, his highest Church preferment—but not his only one. This personage, according to Matthew Paris, held at once 700 livings. He had, Lord Campbell presumes, presented himself to all that fell vacant, and were in the gift of the Crown, while he was Chancellor. The greatest pluralist on record thought himself nevertheless an ill-used Chancellor—and with some reason too, for it was during his occupancy of the marble chair that a king of England (since the Conquest) first practised the

the dispensing power—and it was he who introduced the *non obstante* clause into grants and patents.

In the reign of Henry III. we have the agreeable variety of a *Lady Keeper*. In 1253 the king, proceeding to Gascony, committed the Great Seal, with all the usual formalities, to his Queen, Eleanor of Provence, and though the sealing of writs and common instruments was left to Kilkenny, Archdeacon of Coventry, her Grace executed in person the more important duties of her new office. This judge began her sittings on the Nativity of the Virgin, and continued them regularly till the 25th of November, when the Court was interrupted by her *accouchement*. 'The Lady Keeper had a favourable recovery, and being churched, resumed her place in the *Aula Regia*.'

'Soon after the accession of Edward I. to the crown, she renounced the world and retired to the monastery of Ambresbury, where, in the year 1284, she actually took the veil. She had the satisfaction of hearing of the brilliant career of her son, and she died in 1292, when he was at the height of his glory, having subdued Wales, pacified Ireland, reduced Scotland to feudal subjection, and made England more prosperous and happy than at any former period.

Although the temper and haughty demeanour of Eleanor were very freely censured in her own time, I believe no imputation was cast upon her virtue till the usurper Henry IV., assuming to be the right heir of Edmund her second son, found it convenient to question the legitimacy of Edward her first-born, and to represent him as the fruit of an adulterous intercourse between her and the Earl Marshal. Then was written the popular ballad representing her as confessing her frailty to the King her husband, who, in the garb of a friar of France, has come to shrive her in her sickness, accompanied by the Earl Marshal in the same disguise.

Oh, do you see yon fair-haired boy
That's playing with the ball?
He is, he is the Earl Marshal's son,
And I love him the best of all.

Oh, do you see yon pale-faced boy
That's catching at the ball?
He is King Henry's only son,
And I love him the least of all.

But she was a very different person from her successor, Isabella of France, Queen of Edward II., and there is no reason to doubt that she was ever a faithful wife and a loving mother to all her children.

'Although none of her judicial decisions, while she held the Great Seal, have been transmitted to us, we have very full and accurate information respecting her person, her career, and her character, for which we are chiefly indebted to Matthew Paris, who often dined at
table

table with her and her husband, and composed his history of those times with their privacy and assistance.'—vol. i. p. 144.

Queen Eleanor (down to this time the only Lady Keeper) was succeeded by Archdeacon Kilkenny who had acted under her as a sort of vice-chancellor. He is celebrated only for having been a remarkably handsome man, and for having drawn up Henry the Third's answers to a remonstrance from certain heads of the church respecting alleged encroachments by the Crown on their order. The royal response was in these words:—

"It is true I have been faulty in this particular: I obtruded you, my Lord of Canterbury, on your see: I was obliged to employ both entreaties and menaces, my Lord of Winchester, to have you elected. My proceedings, I confess, were very irregular, my Lords of Salisbury and Carlisle, when I raised you from the lowest stations to your present dignities. I am determined henceforth to correct these abuses; and it will also become you, in order to make a thorough reformation, to resign your present benefices, and try again to become successors of the Apostles in a more regular and canonical manner."—vol. i. p. 145.

One of Edward the First's Chancellors, William *de Grenefield* or *de Grenvill* (a younger son of the family now represented by the Duke of Buckingham), was on the 4th of December, 1303, elected Archbishop of York: but the papal legate obstinately objecting to him, he resigned the seal and proceeded to Rome in person with a purse of 9500 marks, which smoothed all difficulties. The rapidity of his proceedings, attested in the clearest manner, may well astonish us. He delivered the great seal to the king at Westminster on the 29th of December, 1304, and was, on his return from Rome, consecrated at Lambeth on the 30th of the ensuing month of January. But a few years ago this would have been thought laudable speed in a Cabinet courier. We must conjecture that the ex-Chancellor took shipping at Marseilles for Civit  Vecchia, and returning in the same way had the extraordinary luck of a propitious gale both times. But indeed we have not a few wonderful journeys on record in those *slow* ages. Perhaps the most wonderful of all is Longshanks's own ride across the Highlands from Elgin to Glasgow, recorded in his very curious Itinerary, lately published by the Maitland Club. It is perplexing to read after these things, that though Edward I. died near Carlisle on the 7th of July, 1307, the news of the royal demise did not reach the Chancellor (Baldock) in London until the 25th of that month. The new king must have had his reasons for deferring the official announcement of his accession. The great seal was received by him at Carlisle on the 2nd of August, and Baldock never was Chancellor again.

Among

Among the Conscience-keepers of Edward III. Lord Campbell dwells with peculiar fondness on the father of English Bibliomania, Lord Chancellor Richard de Bury, Bishop of Durham, and author of the once famous *Philobiblon*, which includes his autobiography. He had been tutor to Edward, and to him may be traced the love of literature and the arts which distinguished his pupil when on the throne.

‘An extract from chapter viii., entitled “Of the numerous Opportunities of the Author for collecting Books from all Quarters,” may bring some suspicion upon his judicial purity; but the open avowal of the manner in which his library was accumulated proves that he had done nothing that would not be sanctioned by the public opinion of the age:—

“While we performed the duties of Chancellor of the most invincible and ever magnificently triumphant King of England, Edward III., (whose days may the Most High long and tranquilly deign to preserve!) after first inquiring into the things that concerned his Court, and then the public affairs of his kingdom, an easy opening was afforded us, under the countenance of royal favour, for freely searching the hiding-places of books. For the flying fame of our love had already spread in all directions, and it was reported not only that we had a longing desire for books, and especially for old ones, but that any body could more easily obtain our favour by quartos than by money. Wherefore when, supported by the bounty of the aforesaid Prince of worthy memory, we were enabled to oppose or advance, to appoint or discharge; crazy quartos and tottering folios, precious however in our sight as well as in our affections, flowed in most rapidly from the great and the small, instead of new year’s gifts and jewels. Then the cabinets of the most noble monasteries were opened; cases were unlocked; caskets unclasped, astonished volumes which had slumbered for long ages in their sepulchres were roused up, and those that lay hid in dark places were overwhelmed with the rays of a new light. Books heretofore most delicate, now become corrupted and rancid, lay lifeless, covered indeed with the excrements of mice, and pierced through with the gnawing of worms; and those that were formerly clothed with purple and fine linen, were now seen reposing in dust and ashes, given over to oblivion, the abodes of moths. Amongst these nevertheless, as time served, we sat down more voluptuously than the delicate physician could do amidst his stores of aromatics; and where we found an object of love, we found also full enjoyment. Thus the sacred vessels of science came into our power—some being given, some sold, and not a few lent for a time.*

Lord Chancellor was said to have collected a very complete law library by borrowing books from the bar which he forgot to return. If so, he only acted on the maxims of his predecessor De Bury.—

“*Quisquis theologus, quisquis legista peritus*

Vis fieri; multos semper habeto libros.

• *Nou in mente manet quicquid non vidimus ipsi,
Quisque sibi libros vindicet ego—sic os.*—p. 151

“In

"In addition to this, we were charged with the frequent embassies of the said Prince, of everlasting memory, and, owing to the multiplicity of state affairs, were sent first to the Roman Chair, then to the Court of France, then to various other kingdoms of the world, on tedious embassies and in perilous times, carrying about with us, however, that fondness for books which many waters could not extinguish; for this, like a certain drug, sweetened the wormwood of peregrination; this, after the perplexing intricacies, scrupulous circumlocutions of debate, and almost inextricable labyrinths of public business, left an opening for a little while to breathe the temperature of a milder atmosphere. O blessed God of gods in Sion! what a rush of the flood of pleasure rejoiced our heart as often as we visited Paris, the paradise of the world! There we longed to remain, where, on account of the greatness of our love, the days ever appeared to us to be few. In that city are delightful libraries in cells redolent of aromatics; there flourishing green-houses of all sorts of volumes; there academic meads trembling with the earthquake of Athenian peripatetics pacing up and down; there the promontories of Parnassus, and the porticos of the Stoics. There, in very deed, with an open treasury and untied purse-strings, we scattered money with a light heart, and redeemed inestimable books from dirt and dust."

This Right Reverend enthusiast is nowhere more entertaining than in describing and reprobating the ill-usage to which the clasped books of his time were liable:

"You will perhaps see a stiff-necked youth lounging sluggishly in his study: while the frost pinches him in winter time, oppressed with cold, his watery nose drops,—nor does he take the trouble to wipe it with his handkerchief till it has moistened the book beneath with its vile dew. For such a one I would substitute a cobbler's apron in the place of his book. He distributes innumerable straws, in various places, with the ends in sight, that he may recall by the mark what his memory cannot retain. These straws, which the stomach of the book never digests, and which nobody takes out, at first distend the book from its accustomed closure, and being carelessly left to oblivion, at last become putrid. He is not ashamed to eat fruit and cheese over an open book, and to transfer his empty cup from side to side upon it: and because he has not his alms-bag at hand, he leaves the rest of the fragments in his books. He never ceases to chatter with eternal garrulity to his companions; and while he adduces a multitude of reasons void of meaning, he waters the book, spread out upon his lap, with the sputtering of his saliva. What is worse, he next reclines with his elbows on the book, and by a short study invites a long nap; and by way of repairing the wrinkles, he twists back the margins of the leaves, to the no small detriment of the volume. He goes out in the rain, and returns, and now flowers make their appearance upon our soil. Then the scholar we are describing, the neglecter rather than the inspector of books, stuffs his volume with firstling violets, roses, and quadrifoils. He will next apply his wet hands, oozing with sweat, to turning over the volumes, then beat the white parchment all over with
his

his dusty gloves, or hunt over the page, line by line, with his forefinger covered with dirty leather. Then, as the flea bites, the holy book is thrown aside, which, however, is scarcely closed once in a month, and is so swelled with the dust that has fallen into it, that it will not yield to the efforts of the closer."

'Like a Bishop and an Ex-chancellor, he properly concludes by supporting his doctrine with the highest authorities. "The most meek Moses instructs us about making cases for books in the neatest manner, wherein they may be safely preserved from all damage. *Take this book,* says he, *and put it in the side of the ark of the covenant of the Lord your God.* O befitting place, made of imperishable Shittim wood, and covered all over, inside and out, with gold! But our Saviour also, by his own example, precludes all unseemly negligence in the treatment of books, as may be read in Luke iv. For when he had read over the scriptural prophecy written about himself, in a book delivered to him, he did not return it till he had first closed it with his most holy hands; by which act students are most clearly taught that they ought not, in the smallest degree whatever, to be negligent about the custody of books."*

'He died at Bishops Auckland on the 14th of April, 1345, full of years and of honours. Fourteen days after his death he was buried "quodammodo honorifice, non tamen cum honore satis congruo," says Chambre, before the altar of the blessed Mary Magdelene, in his own cathedral. But the exalted situation he occupied in the opinion and esteem of Petrarch and other eminent literary men of the fourteenth century, shed brighter lustre on his memory than it could have derived from funeral processions, or from monuments and epitaphs.'—vol. i. pp. 225—227.

The clerical chancellors of those old times were, with some exceptions, men well skilled in the civil and canon law, who had commenced as advocates before the ecclesiastical courts, and generally had been employed under previous holders of the great seal. By the time of Edward III. the common lawyers, usually laymen, had become a body of some importance: but that king, who first committed the great seal to a layman, did not commence his grand innovation by a selection from the common law bar. The first lay Chancellor was Sir Robert Bourchier, one of the most eminent soldiers of a most warlike age, and when Edward resolved to put down the ascendancy of the ecclesiastics by *inter alia* depriving them of the marble chair, he appears to have considered nothing but the shrewdness and energy of this stout knight, who might be relied on for boldly confronting the opposition of the lords Spiritual, but who had been in no wise educated for judicial functions, had been 'armed' since boyhood, and accompanied the king in all his military expeditions. Bourchier accordingly signalised a brief chancellorship by some most illegal

* Luke iv. 20. "And he closed the book, and he gave it again to the minister, and sat down."

proceedings, and becoming in consequence extremely unpopular, was very glad to resume his proper vocation at the commencement of the campaign of Cressy. He fought gallantly by the side of the Black Prince, and was rewarded by a peerage, which he transmitted to a line of illustrious heirs. His successor in the marble chair was the first regularly bred common lawyer who became Chancellor of England—Sir Robert Parnynge, who had been for some time Chief Justice of the King's Bench with high reputation, and then Lord Treasurer, but who never rose to the peerage.

'The equitable jurisdiction of chancery had gradually extended itself, and to the duties of his own Court the new Chancellor sedulously devoted himself. But he thought, as did Lord Eldon and the most celebrated of his successors, that the best qualification for an Equity Judge is not the mere drudgery of drawing bills and answers, but a scientific knowledge of the common law; and he further thought it essential that his knowledge of the common law should be steadily kept up by him when Chancellor. "This man," says Lord Coke, "knowing that he who knew not the common law could never well judge in Equity (which is a just correction of law in some cases), did usually sit in the Court of Common Pleas (which court is the lock and key of the Common Law) and heard matters in law there debated, and many times would argue himself, as in the Report, 17 Ed. 3, it appears."

'There was only one parliament held while Parnynge was Chancellor, in which he presided with dignity, although the inconvenience was felt of the Speaker not being a member of the House of Peers. The commons, not from any dissatisfaction with him, but rather, I presume, with a view that he might be raised to the peerage, petitioned the King, "that the Chancellor may be a peer of the realm, and that no stranger be appointed thereunto, and that he attend not to any other office." Edward, much nettled, chose to consider this a wanton interference with his prerogative, and returned for answer, "*Le Roi poet faire ses ministres come lui plaina, et come lui et ses ancestres ont fait en tut temps passez.*" On the 26th of August, 1343, he suddenly died while enjoying the full favour of his Prince and the entire confidence of his fellow-subjects.

'I cannot find any trace of his decisions while Chancellor; but we know that he is to be honoured as the first person who held the office with the requisite qualifications for the proper discharge of its important duties, and he must have laid the foundation-stone of that temple to justice, afterwards reared in such fair proportions by an Ellesmere, a Nottingham, and a Hardwicke.'—vol. i. p. 244.

Edward III. to gratify the Commons at a critical moment, elevated to the Marble Chair one other eminent layman and common lawyer—Sir Robert Thorpe; but in general during his long reign and for many reigns afterwards, the Chancellors were, according to the primitive fashion, churchmen. Edyngton (A.D. 1356)

1356) was Chancellor and Bishop of Winchester. He might have been Primate had he pleased, but told the king that 'though Canterbury had the higher rack, Winchester had the larger manger,' and his three successors in the mitre of Winchester (William of Wykeham, Cardinal Beaufort, and Waynesflete), were all likewise Chancellors. These four Chancellors held that manger for more than one hundred and fifty years!

Between Edyngton and Wykeham intervened the four years (1363-7) of Simon Langham, a monk, whose soft oily voice charmed every congregation, while his reputation for piety procured him much resort as a confessor, and who 'is one of the few instances of the regular clergy attaining to great eminence in England.' His penitents among the ladies pushed him on; but Edward III. detected under that cowd an able statesman, and the monk renowned for prayer and penance emerged by and by as the most elegant and fascinating of courtiers—Abbot of Westminster, Treasurer of England, Bishop of Ely—at last Lord Chancellor and Archbishop of Canterbury. But by that time his popularity, as an ecclesiastic at least, had waned—witness the contemporary pasquinade:—

'Lætantur cœli quia Simon transit ab Ely;
Cujus in adventum flent in Kent millia centum.'

He became a Cardinal, and, having accumulated vast wealth, aspired to the popedom. He resigned the seal in order that he might reside for a time at Avignon and canvass his brethren of the purple, but, was cut off by paralysis in the midst of his ambitious projects, bequeathing large estates to the abbey of Westminster, and remembered in his capacity of Chancellor only, or chiefly, as having greatly increased the fees of his court.

On the illustrious career of his immediate successor, we need not dwell at present. Lord Campbell has given us a very excellent chapter on William of Wykeham; but though we are not disposed to quarrel with an effusion of kindly personal feeling, we must say we think the noble and learned author produces rather an unfriendly effect by his closing note, to wit:—

'The bull of Pope Urbanus VI. for founding Winchester school was granted 1st June, 1378. I have a great kindness for the memory of William of Wickham, when I think of his having produced such Wickhamists as my friends Baron Rolfe and Professor Empson.

"Hactenus ire libet, tu major laudibus istis
Suscipe conatus, Wicame Dive, meos."—vol. i. p. 295.

Mr. Baron Rolfe and Professor Empson are, as we all know, very accomplished persons; but to specify them as the marking glories

glories of Winchester is surely somewhat premature. On the other hand, we think there is an unfair harshness and contemptuousness in Lord Campbell's language concerning the last Chancellor of Richard the Second:—

‘John Searle, who had nominally been Chancellor to Richard II., and presided on the woolsack as a tool of Archbishop Arundel, was for a short time continued in the office by the new Sovereign.

‘Little is known respecting his origin or prior history. He is supposed to have been a *mère* clerk in the Chancery brought forward for a temporary purpose to play the part of Chancellor. Having strutted and fretted his hour upon the stage, he was heard of no more. It proved convenient for the Staffords, the Beauforts, and the Arundels, that he should be thus suddenly elevated and depressed.

‘Had he been a prelate, we should have traced him in the chronicles of his diocese, but we have no means of discovering the retreat of a layman unconnected with any considerable family, and of no personal eminence. He was probably fed in the buttery of some of the great barons whom he had served, hardly distinguished while he lived or when he died from their other idle retainers. He may enjoy the celebrity of being the most inconsiderable man who ever held the office of Chancellor in England.’—vol. i. pp. 307, 308.

It is true that John Searle fills but a small space in the history of the office; but what is there known of him to his disadvantage except that he was a man without dignified connexions, promoted to the high rank of Chancellor for the purposes of a party, and dismissed from it as soon as a contemplated change of government had been effected? Might not every word of this grievous indictment be applied with equal propriety to John Campbell? Was it poor John Searle's fault that in his day there were neither peerages nor retiring pensions for Chancellors either of England or Ireland? For the rest, the ‘Buttery Hatch’ theory is a mere spurt of Lord Campbell's spleen.*

With far different courtesy does Lord Campbell treat a Chancellor who, however respectable for learning, was undoubtedly a partaker in transactions still more questionable than those with which Searle's name is connected—the Chancellor who presided in parliament throughout all the stages of the usurpation of Richard III. It is true that after Richard was seated on the throne he endeavoured to conciliate popular favour by some excellent legislative measures; and it is probable that such measures, for such purpose desirable to the tyrant, were devised

* In the times of Chancellor Searle it appears incidentally that the House of Commons usually met for dispatch of business at seven in the morning—the House of Lords at nine.—Vol. i. p. 318.

by the same accommodating Chancellor who had drawn the bill for bastardizing the children of Edward IV. But who does not smile to read—

‘I will *fondly believe, though I can produce no direct evidence to prove the fact*, that to “JOHN RUSSELL” the nation was indebted for the Act entitled—“The Subjects of this Realm not to be charged with Benevolence,” the object of which was to put down the practice introduced in some late reigns of levying taxes under the name of “benevolence,” without the authority of parliament. The language employed would not be unworthy of that great statesman bearing the same name, who in our own time framed and introduced Bills “to abolish the Test Act,” and “to reform the representation of the people in parliament.”’—p. 404.

Who does not see that the whole charm is in the name?—that the true object of Lord Campbell is to puff the author of the Reform Bill?—that with this view alone has Lord Campbell expended seven pages on a Chancellor of the 15th century, so ‘inconsiderable’ that, as the biographer states, he has ‘not been mentioned by modern historians’—adding, ‘I consider him as one of the *Cancellarian Mummies* I have dug up and exhibited to the public’ (p. 407). And yet, after all, Lord Campbell is obliged to admit that there exists not only no evidence but no tradition for connecting this John Russell in any way whatever with the blood of the Bedfords. He says, ‘he was *most likely* of the Bedford family, who, having held a respectable but not brilliant position in the west of England since the Conquest, were now rising into eminence’ (p. 401), and suggests that Mr. Wiffen passes him *sub silentio* in his laborious *History of the House of Russell* ‘perhaps from a shyness to acknowledge him on account of his connexion with Richard III.’—a suggestion the compliment of which we leave to be decided between Friend Wiffen and his as well as Lord Campbell’s idol, Lord John.

We must, we suspect, ascribe to the popularity-hunting craft of Richard and his ‘JOHN RUSSELL,’ the fact that the first statute of this reign was the first statute drawn in the English tongue. Although as early as 1362 Chancellor Edyngton carried through parliament a bill, by which it was enacted that all pleadings and judgments in the Courts of Westminster should for the future be in English, whereas they had been in French ever since the Conquest; as also that all schoolmasters should thenceforth teach their pupils to construe in English, and not in French; the change—in the legal department at least—was long and successfully resisted. The practitioners obstinately adhered to their old dialect in Reports, Treatises, and Abridgments. Under the
Commonwealth

Commonwealth an act was passed for the use of the English language 'in all legal records' (iii. 90): but this seemed to many a more dangerous innovation than the abolition of the House of Lords or the Regal office; and Whitelock, who introduced the measure, would not have carried it in opposition to his brothers of the long robe, had he not enlisted on his side the more pious out of the profession, by showing that Moses drew up the laws of the Jews in their own vernacular Hebrew, and not either in the Chinese tongue or the Egyptian. The Restoration brought back French to our Reports, and Latin to our Law Records, which continued till the reign of George II.; and if we would find anything in the Digest of Chief Baron Comyn about *Highways*, or *Tithes*, or *Husband and Wife*, we must refer to the titles *Chemin*, *Dismes*, and *Baron et Femc*. Acts of Parliament, we have seen, continued to be framed in French until Richard III.—in whose time also they were first printed. But even to this day French is employed by the branches of the Legislature in their intercourse with each other:

'Not only is the royal assent given to bills by the words "La Reyne le voet," but when either House passes a bill there is an indorsement written upon it, "Soit bailé aux Seigneurs," or "aux Communes;" and at the beginning of every Parliament the Lords make an entry in their Journals, in French, of the appointment of the Receivers and Triers of petitions, not only for England, but for *Gascony*. E.g.: Extract from Lords' Journals, 24th August, 1841:—

"Les Receveurs des Petitions de Gascoigne et des autres terres et pays de par la mer et des isles:—Le Baron Abinger, Chief Baron de l'Exchequer de la Reyne; Messire James Parke, Chevalier; Messire John Edmund Dowdeswell, Ecuyer. Et ceux qui veulent delivrer leur Petitions les baillent dedans six jours prochainement ensuivant.

"Les Triours des Petitions de Gascoigne et des autres terres et pays de par la mer et des isles:—Le Duc de Somerset; le Marquis d'Anglesey; le Count de Tankerville; le Viscount Torrington; le Baron Campbell. Tout eux ensemble, ou quatre des seigneurs avant-ditz, appellant aux eux les Serjeants de la Reyne, quant sera besoigne, tiendront leur place en la chambre du Chambellan."

"Receveurs et Triours des Petitions de la Grande Bretagne et d'Ireland," were appointed the same day.—vol. i. p. 252.

It is not to be supposed that after the period of Richard III. Lord Campbell finds any 'Cancellarian Mummies' to disinter; but he deals with the ampler materials of advancing light in a style on the whole very judicious, observing a happy medium between nakedness and profusion of detail as respects personal incidents, and as rarely as almost any author of the class trespassing beyond the proper limits of biography. We may instance his 'Life of Wolsey' as,

as, though not long, by much the clearest and even the completest one we have had of that great man, 'who enjoyed more power than any of his predecessors or successors who have held the office of Chancellor in England.' We can afford but the *exorde* of this capital chapter:—

'I shall not attempt to draw any general character of this eminent man. His good and bad qualities may best be understood from the details of his actions, and are immortalised by the dialogue between Queen Catherine and Griffith her secretary, which is familiar to every reader.

'But the nature of this work requires that I should more deliberately consider him as a Judge; for although he held the Great Seal uninterruptedly for a period of fourteen years, and greatly extended its jurisdiction, and permanently influenced our juridical institutions, not only historians, but his own biographers, in describing the politician and the churchman, almost forget that he ever was Lord Chancellor;

'From his conference with Justice Shelly respecting York Place, we know exactly his notions of the powers and duties of the Chancellor as an Equity Judge. When pressed by the legal opinion upon the question, he took the distinction between law and conscience, and said, "it is proper to have a respect to conscience before the rigour of the common law, for *laus est facere quod decet non quod licet*. The King ought of his royal dignity and prerogative to mitigate the rigour of the law where conscience hath the most force; therefore, in his royal place of equal justice he hath constituted a Chancellor, an officer to execute justice with clemency, where conscience is opposed to the rigour of the law. And therefore the Court of Chancery hath been heretofore commonly called the Court of Conscience, because it hath jurisdiction to command the high ministers of the Common Law to spare execution and judgment, where conscience hath most effect." With such notions he must have been considerably more arbitrary than a Turkish Kadi, who considers himself bound by a text of the Koran in point, and we are not to be surprised when we are told that he chose to exercise his equitable authority over everything which could be a matter of judicial inquiry.

'In consequence, bills and petitions multiplied to an unprecedented degree, and notwithstanding his despatch there was a great arrear of business. To this grievance he applied a very vigorous remedy, without any application to parliament to appoint Vice-Chancellors;—for of his own authority he at once established four new Courts of Equity by commission in the King's name. One of these was held at Whitehall before his own deputy; another before the King's almoner, Dr. Stoberby, afterwards Bishop of London; a third at the Treasury Chamber, before certain members of the Council; and a fourth at the Rolls, before Cuthbert Tunstall, Master of the Rolls, who, in consequence of this appointment, used to hear causes there in the afternoon. The Master of the Rolls has continued ever since to sit separately for hearing causes in Chancery. The other three courts fell with their founder.

'Wolsey himself used still to attend pretty regularly in the Court of Chancery

Chancery during term, and he maintained his equitable jurisdiction with a very high hand, deciding without the assistance of common law judges, and with very little regard to the common law.

‘If he was sneered at for his ignorance of the doctrines and practice of the Court, he had his revenge by openly complaining that the lawyers who practised before him were grossly ignorant of the civil law and the principles of general jurisprudence; and he has been described as often interrupting their pleadings, and bitterly animadverting on their narrow notions and limited arguments. To remedy an evil which troubled the stream of justice at the fountain-head, he, with his usual magnificence of conception, projected an institution, to be founded in London, for the systematic study of all branches of the law. He even furnished an architectural model for the building, which was considered a masterpiece, and remained long after his death as a curiosity in the palace at Greenwich. Such an institution is still a desideratum in England; for, with splendid exceptions, it must be admitted that English barristers, though very clever practitioners, are not such able jurists as are to be found in other countries where law is systematically studied as a science.

‘On Wolsey’s fall his administration of justice was strictly overhauled; but no complaint was made against him of bribery or corruption, and the charges were merely that he had examined many matters in Chancery after judgment given at common law;—that he had unduly granted injunctions;—and that when his injunctions were disregarded by the Judges, he had sent for those venerable magistrates and sharply reprimanded them for their obstinacy. He is celebrated for the vigour with which he repressed perjury and chicanery in his Court, and he certainly enjoyed the reputation of having conducted himself as Chancellor with fidelity and ability,—although it was not till a later age that the foundation was laid of that well-defined system of equity now established, which is so well adapted to all the wants of a wealthy and refined society, and, leaving little discretion to the Judge, disposes satisfactorily of all the varying cases within the wide scope of its jurisdiction.

‘I am afraid I cannot properly conclude this sketch of the Life of Wolsey without mentioning that “of his own body he was ill, and gave the clergy ill example.” He had a natural son, named Winter, who was promoted to be Dean of Wells, and for whom he procured a grant of “arms” from the Heralds’ College. The 38th article of his impeachment shows that he had for his mistress a lady of the name of Lark, by whom he had two other children; there were various amours in which he was suspected of having indulged, and his health had suffered from his dissolute life. But we must not suppose that the scandal arising from such irregularities was such as would be occasioned by them at the present day. A very different standard of morality then prevailed: churchmen, debarred from marriage, were often licensed to keep concubines, and as the Popes themselves were in this respect by no means infallible, the frailties of a Cardinal were not considered any insuperable bar either to secular or spiritual preferment.

‘In judging him we must remember his deep contrition for his back-

slidings; and the memorable lesson which he taught with his dying breath, that, to ensure true comfort and happiness, a man must addict himself to the service of God, instead of being misled by the lures of pleasure and ambition.

'The subsequent part of Henry's reign is the best panegyric on Wolsey; for, during twenty-nine years, he had kept free from the stain of blood or violence the Sovereign, who now, following the natural bent of his character, cut off the heads of his wives and his most virtuous ministers, and proved himself the most arbitrary tyrant that ever disgraced the throne of England.'

The life of Wolsey's venerated successor, More, is entitled to similar praise. Notwithstanding all the labour and skill of so many able predecessors, Lord Campbell has brought out the whole story with, we must say, unrivalled felicity. We can afford, however, only a few trivial specimens of this rich biography:—

'After diligently searching the books, I find the report of only one judgment which he pronounced during his chancellorship, and this I shall give in the words of the reporter.—

"It happened on a time that a beggar-woman's little dog, which she had lost, was presented for a jewel to Lady More, and she had kept it some seven night very carefully; but at last the beggar had notice where her dog was, and presently she came to complain to Sir Thomas, as he was sitting in his hall; that his lady withheld her dog from her. Presently my Lady was sent for, and the dog brought with her; which Sir Thomas, taking in his hands, caused his wife, because she was the worthier person, to stand at the upper end of the hall, and the beggar at the lower end, and saying that he sat there to do every one justice, he bade each of them call the dog; which, when they did, the dog went presently to the beggar, forsaking my Lady. When he saw this, he bade my Lady be contented, for it was none of hers; yet she, repining at the sentence of my Lord Chancellor, agreed with the beggar, and gave her a piece of gold, which would well have bought three dogs, and so all parties were agreed; every one smiling to see his manner of inquiring out the truth." It must be acknowledged that Solomon himself could not have heard and determined the case more wisely or equitably.*

'But a grave charge has been brought against the conduct of More while Chancellor—that he was a cruel and even bloody persecutor of the Lutherans. This is chiefly founded on a story told by Fox, the Martyrologist—"that Burnham, a reformer, was carried out of the Middle Temple to the Chancellor's house at Chelsea, where he continued in free prison awhile, till the time that Sir Thomas More saw that he could not prevail in perverting of him to his sect. Then he cast him into prison in his own house, and whipped him at the tree in his garden called "*the tree of Troth*," and after sent him to the Tower to be racked."† Burnet and other very zealous Protestants have likewise

* 'For some cases *in pari materia*, vid. Rep. Burat. Tem. Sauch. Pan.'

† Mart. vol. ii. Hist. Reform. vol. iii. 'When More was raised to the chief in the ministry, he became a persecutor even to blood, and defiled those hands which were never polluted with bribes.'

countenanced the supposition that More's house was really converted into a sort of prison of the Inquisition, he himself being the Grand Inquisitor; and that there was a tree in his grounds where the Reformers so often underwent flagellation under his superintendence, that it acquired the appellation of "*the tree of Troth.*" But let us hear what is said on this subject by More himself—allowed on all hands (however erroneous his opinions on religion) to have been the most sincere, candid, and truthful of men: "Divers of them have said, that of such as were in my house when I was Chancellor, I used to examine them with torments, causing them to be bound to a tree in my garden, and there piteously beaten. Except their sure keeping, I never else did cause any such thing to be done unto any of the heretics in all my life, except only twain: one was a child, and a servant of mine in mine own house, whom his father, ere he came to me, had nursed up in such matters, and set him to attend upon George Jay. This Jay did teach the child his ungracious heresy against the blessed sacrament of the altar; which heresy this child, in my house, began to teach another child. And upon that point I caused a servant of mine to strip him, like a child, before mine household, for amendment of himself and ensample of others. Another was one who, after he had fallen into these frantic heresies, soon fell into plain open frenzy; albeit that he had been in Bedlam, and afterwards, by beating and correction, gathered his remembrance. Being therefore set at liberty, his old frenzies fell again into his head. Being informed of his relapse, I caused him to be taken by the constables, and bounden to a tree in the street, before the whole town, and there striped him till he waxed weary. Verily, God be thanked, I hear no harm of him now. And of all who ever came in my hand for heresy, as help me God, else had never any of them any stripe or stroke given them, so much as a fillip in the forehead." *

'We must come to the conclusion that persons accused of heresy were confined in his house, though not treated with cruelty, and that the supposed tortures consisted in flogging one naughty boy, and administering stripes to one maniac, according to the received notion of the times, as a cure for his malady. The truth is, that More, though in his youth he had been a warm friend to religious toleration, and in his "*Utopia*" he had published opinions on this subject rather latitudinarian, at last, alarmed by the progress of the Reformation, and shocked by the excesses of some of its votaries in Germany, became convinced of the expediency of uniformity of faith, or, at least, conformity in religious observances; but he never strained or rigorously enforced the laws against Lollardy. "It is," says Erasmus, "a sufficient proof of his clemency, that while he was Chancellor no man was put to death for these pestilent dogmas, while so many, at the same period, suffered for them in France, Germany, and the Netherlands."'

On More's fall, one of the charges urged against him before the Committee of Privy Council was, that he had provoked the king to set forth the *Booke of the Seven Sacraments*—whereby

the title of Defender of the Faith had been gained, but in reality a sword put into the Pope's hand to fight against him, to his great dishonour in all parts of Christendom:—

‘His answer lets us curiously into the secret history of Henry's refutation of Luther. “My Lords,” answered he, “these terrors be frights for children, and not for me: but to answer that wherewith you chiefly burthen me, I believe the King's Highness, of his honour, will never lay that book to my charge; for there is none that can, in that point, say more for my clearance than himself, who right well knoweth that I never was procurer, promoter, nor counsellor of his Majesty thereunto; only after it was finished, by his Grace's appointment, and *the consent of the makers of the same*, I only sorted out, and placed in order, the principal matters therein; wherein, when I had found the Pope's authority highly advanced, and with strange arguments mightily defended, I said thus to his Grace: “I must put your Highness in mind of one thing—the Pope, as your Majesty well knoweth, is a prince, as you are, in league with all other Christian princes: it may hereafter fall out that your Grace and he may vary upon some points of the league, whereupon may grow breach of amity between you both; therefore I think it best that place be amended, and his authority more slenderly touched.” “Nay,” said the King, “that shall it not; we are so much bound to the See of Rome, that we cannot do too much honour unto it. Whatsoever impediment be to the contrary, we will set forth that authority to the uttermost; for we have received from that See our Crown imperial!” which till his Grace with his own mouth so told me, I never heard before. Which things well considered, I trust when his Majesty shall be truly informed thereof, and call to his gracious remembrance my sayings and doings in that behalf, his Highness will never speak more of it; but will clear me himself.”’—vol. i. p. 562.

Henry VIII., however, must have condescended to great pains in the matter of the ‘Booke of the Seven Sacraments.’ The MS. of it presented to the Pope with the distich—

‘Anglorum Rex Henricus, Leo Decime, mittit
Hoc opus et fidei testem et amicitiae,’

is still in the Vatican, and no one hitherto has disputed that the book, like the inscription, is in the writing of the king. Mr. Mathews (‘Diary of an Invalid,’ vol. i. p. 146) saw it in 1818, and that critical observer describes the *autograph* without hint of suspicion. We ourselves saw it lately, and by the side of it several of Henry's MS. letters to Anne Boleyn, and we certainly perceived no difference in the handwritings.

Sir Thomas More's character, says Lord Campbell—

‘Both in public and in private life, comes as near to perfection as our nature will permit; and I must think that, in weighing it, there has been too much concession, on the score that the splendour of his great qualities was obscured by intolerance and superstition; and that he

voluntarily sought his death by violating a law which, with a safe conscience, he might have obeyed. We Protestants must lament that he was not a convert to the doctrines of the Reformation; but they had as yet been very imperfectly expounded in England, and they had produced effects in foreign countries which might well alarm a man of constant mind. If he adhered conscientiously to the faith in which he had been educated, he can in no instance be blamed for the course he pursued. No good Roman Catholic could declare that the King's first marriage had been absolutely void from the beginning; or that the King could be vested, by act of parliament, with the functions of the Pope, as Head of the Anglican Church. Can we censure him for submitting to loss of office, imprisonment, and death, rather than make such a declaration? He implicitly yielded to the law regulating the succession to the Crown; and he offered no active opposition to any other law;—only requiring that on matters of opinion he might be permitted to remain silent.

'The English Reformation was a glorious event, for which we never can be sufficiently grateful to divine Providence: but I own I feel little respect for those by whose instrumentality it was first brought about;—men generally swayed by their own worldly interests, and willing to sanction the worst passions of the tyrant to whom they looked for advancement. With all my Protestant zeal, I must feel a higher reverence for Sir Thomas More than for Thomas Cromwell or Cranmer.'—vol. i. pp. 582–583.

Of the *Utopia*, the biographer thus writes:—

'But the composition to which he attached no importance, which, as a *jeu-d'esprit*, occupied a few of his idle hours when he retired from the bar and before he was deeply immersed in the business of office, and which he was with great difficulty prevailed upon to publish, would of itself have made his name immortal. Since the time of Plato, there had been no composition given to the world which, for imagination, for philosophical discrimination, for a familiarity with the principles of government, for a knowledge of the springs of human action, for a keen observation of men and manners, and for felicity of expression, could be compared to the *Utopia*. Although the word invented by More has been introduced into the language, to describe what is supposed to be impracticable and visionary,—the work (with some extravagance and absurdities, introduced perhaps with the covert object of softening the offence which might have been given by his satire upon the abuses of his age and country) abounds with lessons of practical wisdom. If I do not, like some, find in it all the doctrines of sound political economy, illustrated by Adam Smith, I can distinctly point out in it the objections to a severe penal code, which have at last prevailed, after they had been long urged in vain by Romilly and Mackintosh;—and as this subject is intimately connected with the history of the law of England, I hope I may be pardoned for giving the following extract to show the law reforms which Sir Thomas More would have introduced when Lord Chancellor, had he not been three centuries in advance of his age: He represents

represents his great traveller who had visited Utopia, and describes its institutions, as saying, "There happened to be at table an English lawyer, who took occasion to run out in high commendation of the severe execution of thieves in his country, where might be seen twenty at a time dangling from one gibbet. Nevertheless, he observed, it puzzled him to understand how, since so few escaped, there were yet so many thieves left who were still found robbing in all places. Upon this I said with boldness, there was no reason to wonder at the matter, since this way of punishing thieves was neither just in itself nor for the public good; for as the severity was too great, so the remedy was not effectual; simple theft was not so great a crime that it ought to cost a man his life; and no punishment would restrain men from robbing who could find no other way of livelihood.* In this, not only you, but a great part of the world besides, imitate ignorant and cruel schoolmasters, who are readier to flog their pupils than to teach them. Instead of these dreadful punishments enacted against thieves, it would be much better to make provision for enabling those men to live by their industry whom you drive to theft, and then put to death for the crime you cause."

'He exposes the absurdity of the law of forfeiture in case of larceny, which I am ashamed to say, notwithstanding the efforts I have myself made in parliament to amend it, still disgraces our penal code, so that for an offence for which, as a full punishment, sentence is given of imprisonment for a month, the prisoner loses all his personal property, which is never thought of by the Court in pronouncing the sentence. It was otherwise among the Utopians. "Those that are found guilty of theft among them are bound to make restitution to the owner, and not to the prince. If that which was stolen is no more in being, then the goods of the thief are estimated, and restitution being made out of them, the remainder is given to his wife and children."

'I cannot refrain from giving another extract to prove that, before the Reformation, he was as warm a friend as Locke to the principles of religious toleration: He says, that the great legislator of Utopia made a law that every man might be of what religion he pleased, and might endeavour to draw others to it by the force of argument, and by amicable and modest ways, without bitterness against those of other opinions. "This law was made by Utopus not only for preserving the public peace, which he saw suffered much by daily contentions and irreconcilable heats, but because he thought it was required by a due regard to the interest of religion itself. He judged it not fit to decide rashly any matter of opinion, and he deemed it foolish and indecent to threaten and terrify another for the purpose of making him believe what did not

* "Cognit accurate laudare rigidam illam justitiam quæ tum illic exercebatur in fures, quos passim narrabat nonnunquam suspendi viginti in unâ cruce, atque eo vehementius dicebat se mirari cum tam pauci elaborentur supplicio, quo nullo fato feret (how the devil it happened) uti tam multi tamen ubique grassarentur." This lawyer reminds me exceedingly of the attorney-generals, judges, and secretaries of state, who in my early youth eulogised the bloody penal code which then disgraced England, and predicted that if it were softened, there would be no safety for life or property. They would not even, like their worthy predecessor here recorded, admit its inefficiency to check the commission of crime.—vol. i. p. 584.

appear to him to be true." His most wonderful anticipation may be thought that of Lord Ashley's factory measure—by "the Six Hours Bill" which regulated labour in Utopia. "Nec ab summo mane tamen ad multam usque noctem perpetuo labore, velut jumenta, fatigatus; nam ea plus quam servilis ærumna est; quæ tamen ubique fere opificum vita est—exceptis Utopiensibus, qui cum in horas viginti-quatuor æquales diem connumeratâ nocte dividant, sex duntaxat operi deputant, tres ante meridiem, a quibus prandium ineunt, atque a prandio duas pomeridianas horas; quum sex interquieverunt, tres deinde rursus labori datas cœnâ claudunt. Etenim quod sex duntaxat horas in opere sunt, fieri fortasse potest, ut inopiam aliquam putes necessariam rerum sequi. Quod tam longe abest ut accidat, ut id temporis ad omnium rerum copiam, quæ quidem ad vitæ vel necessitatem requirantur vel commoditatem, non sufficiat modo sed supersit etiam" (*Utopia*, vol. ii. p. 68.)

This Life contains sundry pleasant little anecdotal scraps for which we wish we had room. Let one suffice. After telling the well-known story of the Chancellor's daily kneeling for his father the puisne Judge's blessing ere he opened Court, Lord Campbell says—

'I am old enough to remember that when the Chancellor left his Court, if the Court of King's Bench was sitting, a curtain was drawn and bows were exchanged between him and the Judges, so that I can easily picture to myself the "blessing scene" between the father and son.'—vol. i. p. 544, *note*.

In another *note* he corrects a very serious error:—

'More's recent biographers, by erroneously fixing his trial on the 7th of May, make an interval of two months instead of six days between that and his execution; but it is quite certain that although he was arraigned on the 7th of May, he was not tried till the 1st of July.*

We do not quote with the same approbation Lord Campbell's defence of the illustrious More for his patronage of the miracles of the 'Maid of Kent':—

'We need not wonder at the credulity of *the most eminent men* of that age, when in our own day a nobleman, distinguished by his talents and his eloquence, as well as by his illustrious birth, has published a pamphlet to support two contemporaneous miraculous maids, the "Estatica" and the "Adolorata."—vol. i. p. 560, *note*.

Such little subserviences and flatteries obiter of contemporary partisans are very unworthy of this grave and deliberate work.

Of the life of the next Chancellor we give the opening sentences:—

'When Sir Thomas More resigned the Great Seal, it was delivered to Sir Thomas Audley, afterwards Lord Audley, with the title, first of Lord Keeper, and then of Lord Chancellor. There was a striking contrast in almost all respects, between these two individuals,—the successor

* 1 St. Tr. 385.

of the man so distinguished for genius, learning, patriotism, and integrity, having only common-place abilities, sufficient, with cunning and shrewdness, to raise their possessor in the world,—having no acquired knowledge beyond what was professional and official,—having first recommended himself to promotion by defending, in the House of Commons, the abuses of prerogative,—and, for the sake of remaining in office, being ever willing to submit to any degradation, and to participate in the commission of any crime. He held the Great Seal for a period of about twelve years, during which, to please the humours of his capricious and tyrannical master, he sanctioned the divorce of three Queens,—the execution of two of them on a scaffold,—the judicial murder of Sir Thomas More, Bishop Fisher, and many others, who, animated by their example, preferred death to infamy,—the spoliation of the Church and a division of the plunder among those who planned the robbery,—and reckless changes of the established religion, which left untouched all the errors of Popery, with the absurdity of the King being constituted Pope, and which involved in a common massacre those who denied transubstantiation and those who denied the King's spiritual supremacy.'—vol. i. p. 589.

Chancellor Audley himself was as rapacious in the matter of church plunder as the founder of the house of Bedford—and almost as successful. After extorting some four or five rich priories, he let out at last the grand object of his ambition—which was to get the site and lands of the great Abbey at Walden in Essex, and unquestionably he had the merit of urging this bold claim with 'force and naïveté.' He wrote thus to Vicar-General Cromwell: 'I have in this world sustayned *greate damage and infamie* in serving the Kynge's hieness, which this grant shall *recompens*.'

'This appeal was felt to be so well founded, that in consideration of the bad law laid down by him on the trials of Fisher, More, Anne Boleyn, Courtenay, and de la Pole, and of the measurs he had carried through parliament to exalt the royal prerogative and to destroy the constitution, and of the execration heaped upon him by the whole English nation,—as well as by way of retaining fee for future services of the like nature, and *recompense* for farther *infamy*,—he received a warrant to put the Great Seal to the desired grant.'

Lord Campbell adds, 'Here he constructed his tomb, and his grandson built the magnificent mansion of Audley End, now the seat of Lord Braybrooke.' But Lord Braybrooke's mansion, spacious and noble though it be, is but one wing of the palace of his Audley ancestors—'that stately fabric of Audley End,' says Dugdale, 'not to be equalled, excepting Hampton Court, by any in this realm.'

This 'sordid slave,' first brought into notice, and then succeeded by, Thomas Wriothesley, a man of no splendid origin (son of one of the Kings-at-Arms), who received from Henry VIII.

VIII. the possessions of the Abbey of Titchfield, and the title of Lord Wriothesley of Titchfield, and was one of those executors of Henry who commenced their administration by a fraudulent manœuvre to advance each of themselves in the peerage. When Hertford became Duke of Somerset this Chancellor became Earl of Southampton; and so on with the rest, all moreover bestowing on themselves 'suitable grants to support their new dignities.' Wriothesley, after being accomplice and tool of Somerset, joined the Protector's great enemy Dudley, suggested the measures which ended in Somerset's fall, and that business consummated, was contemptuously tossed aside by Dudley, and after languishing a year or two in obscurity, died of 'a broken heart,' that is, of disappointed ambition. He is remembered chiefly in our history as the judge who presided at the judicial murder of 'the gentle Surrey,' and who *with his own hands* tightened the rack at the torturing of the young and beautiful martyr, Anne Askew. Except that he was steady to his popery, it is impossible to discover any respectable circumstance in his career. But his line ended after three generations in an heiress—Rachel Wriothesley, the admirable wife of William Lord Russell; and, of course, Lord Campbell must needs contrive to wind up even this savage intriguer's history with a sentence that would fain be civil:—

'The present Bedford family thus represent Lord Chancellor Wriothesley, resembling him in sincerity and steadiness of purpose, but happily distinguished for mildness and liberality instead of sternness and bigotry.'—vol. i p. 652.

We are now advancing in 'the Grandeur of the Law.' The next Chancellor was William Paulet, heir of an ancient knightly family in Somersetshire, a favourite in the household of Henry VII., and then of Henry VIII., who made him Chancellor, Lord St. John of Basing, and a knight of the Garter—a favourite and partisan of Somerset's, who made him Earl of Wiltshire—then a partaker in Dudley's plans for the overthrow of Somerset, and the presiding judge at Somerset's trial, for which service Dudley made him Marquess of Winchester—then active in the cause of Lady Jane Grey, but the first to leave her party—forgiven accordingly, and made Lord High Treasurer by Queen Mary—during whose whole reign he held that office—and then the humble slave of Burleigh, continued as Treasurer by Elizabeth till his death in 1572. Sir James Mackintosh, when speaking of the versatile politicians who had the art and fortune to slide unhurt through all the shocks of forty years in a revolutionary age, says, 'the Marquess of Winchester, who had served Henry VII., and retained office under every intermediate government till he died in his ninety-seventh year with the staff of Lord Treasurer in his hands,

hands, is perhaps the most remarkable specimen of this species preserved in history.' He expired serenely, smilingly, congratulating himself that 'he had been a willow, not an oak,' and was consigned to a magnificent tomb, with the attendance of one hundred and three of his progeny. This Chancellor knew little enough of the law, but he had the true qualifications for worldly success. To change his religion four or five times—conduct the trials of Papists under a Protestant government, of Protestants under a Papist one, and so on *toties quoties*—to serve one sovereign against whom he had committed treason, and two whom he had bastardized—all these things were trifles to the patriarch of the Marquesses of Winchester and Dukes of Bolton. 'He was,' says Lord Campbell, with his usual terseness of summary, 'of a cheerful temper, pleasing manners, moderate abilities, and respectable acquirements. Exciting no envy or jealousy, he had every one's good word, and accommodating himself to the humours of all, all were disposed to befriend him.'—*Sic itur ad astra*.

The next was *Richard Rich*, son of a mercer in the city, remarkable in early life only as 'a dicer and gamester,' and never suspected of severe study or profound attainments of any sort, but an artful barrister, audacious flatterer, and convenient tool. He was Solicitor-General at the trials of More and Fisher, and his treachery and perjury then volunteered, procured him the wealthy sinecure of Chirographer to the Common Pleas. Then we have him Speaker of the House of Commons—then Paymaster of the Army—then Chancellor of the Court of Augmentations—which post enabled him to secure Church plunder sufficient for the endowment of two coronets—which plunder made him a good Protestant—and kept him one, except during Mary's short reign;—ultimately Lord Rich and Chancellor of England. His eldest son was created Earl of Warwick—his second, Earl of Holland. One of his descendants built Holland House, so famed as the scene of political intrigue in the days of Charles I., as the residence of Addison's wife, the Countess Dowager of Warwick, and since 'as the centre of intellectual and refined society under the family of Fox.' (vol. ii. p. 27.). The family of Rich is now extinct in all its branches.

We have now another series of clerical Chancellors—and first, *Thomas Goodrick*—seated on the woolsack by Dudley (December, 1551), because 'there was no lawyer in whom he could place entire confidence; and he had projects to which a lawyer with any remaining scruples must object.' Goodrick had been employed in revising the translation of the New Testament, and in compiling the Liturgy of Edward VI., and had been rewarded for these services by the mitre of Ely. His reputation as a Protestant

Protestant divine would, as Dudley had rightly conjectured, render him an excellent keeper of the royal conscience, when a warrant was to be extorted from young Edward for the execution of his uncle Somerset. The Bishop therefore became Chancellor. He acted as Chancellor also to Lady Jane Grey—but resigned the Seal with such alacrity to Queen Mary, the moment Jane's cause was desperate, and also recanted his Protestantism with such exemplary readiness, that he was pardoned and continued in his See. Dying before Elizabeth's accession, he died also of course in the communion of Rome.

We need not dwell on Lord Campbell's next subject—for he was a great man, and though it is strange enough that we have never had a separate biography of him, the principal events in his life are part and parcel of the History of England. Lord Campbell gives in full detail the procedure in Parliament, arranged and conducted by Lord Chancellor Stephen Gardiner, Bishop of Winchester, when the English government and nation were to be formally reunited to the Roman church. This precedent, he observes, will probably be studied by those 'who at the present time wish to bring about a similar reconciliation.' It is a very curious procedure.

Gardiner was succeeded as Chancellor by Heath, Archbishop of York, whose earlier life is not without its inconsistencies, and who persevered in Gardiner's Smithfield policy, but whose memory is redeemed by his honourable conduct at and after the death of his patroness Mary. Elizabeth would willingly have continued him both as Chancellor and as Archbishop, if he would have gone into her and Cecil's plans for the revival of the reformed religion. But Heath was steadfast. Sir Nicholas Bacon was made Lord Keeper—and refusing, in his place of Parliament, to take the oath of Supremacy, the Archbishop was deprived forthwith of his See.

'He retired to a small property of his own at Cobham, in Surrey, where he devoted the rest of his days to study and devotion. He was here compared to Abiathar, sent home by Solomon to his own field, and he was said to have found himself happier than he had ever been during his highest elevation. Queen Elizabeth herself, remembering how promptly he had recognised her title when he was Lord Chancellor, and believing that he afterwards acted from conscientious motives, was in the frequent habit of visiting him in his retreat, and, with a certain hankering after the old religion, she probably, in her heart, honoured him more than she did Archbishop Parker, whom she found living splendidly at Lambeth, with a lady whom she would neither call his "mistress" nor his "wife."—Heath survived till the year 1566, when he died deeply lamented by his friends, and with the character of a good, if not of a great man.

' Great

'Great reproach was brought upon the two Chancellors, Gardyner and Heath, for the furious religious persecution which they prompted or sanctioned; but the former gained much popularity by his resistance to the Queen's matrimonial alliance with Philip of Spain, and the latter was respected for the general moderation of his character and his personal disinterestedness. They issued writs, under the Great Seal, for the election of representatives to the House of Commons to fourteen new places (generally very small towns) which had not before sent members to parliament,—imitating the conduct of Edward's Chancellors, who, to strengthen the Reformation, had enfranchised no fewer than twenty-two similar boroughs. None of their judicial decisions have been handed down to us.'—vol. ii. p. 86.

We must quote here a note which may perhaps edify some of the legal personages destined to figure at her Majesty's next Fancy Ball:—

'During Mary's reign the lawyers devoted much of their attention to the regulation of their own dress and personal appearance. To check the grievance of "long beards," an order was issued by the Inner Temple "that no fellow of that house should wear his beard above three weeks' growth on pain of forfeiting 20s." The Middle Temple enacted "that none of that society should wear great breeches in their hose made after the Dutch, Spanish, or Almain fashion, or lawn upon their caps, or cut doublets, under a penalty of 3s. 4d., and expulsion for the second offence." In 3 and 4 P. and M. it was ordained by all the four Inns of Court, "that none except knights and benchers should wear in their doublets or hose any light colours, save scarlet and crimson, nor wear any upper velvet cap, or any scarf or wings in their gowns, white jerkins, buskins, or velvet shoes, double cuffs in their shirts, feathers or ribbons in their caps, and that none should wear their study gowns in the city any farther than Fleet Bridge or Holborn Bridge, nor, while in Commons, wear Spanish cloaks, sword and buckler, or rapier, or gowns and hats, or gowns girded with a dagger on the back.'—*Ibid.*

We avoid Sir Nicholas Bacon, as 'the great father of a greater son' is well known to all. Nor do we find any novelties to tempt us in the sketch of his successor Bromley, who is sufficiently damned to all ages by his proceedings at the trial of the Queen of Scots. The sudden rise and brief Chancellorship of the 'dancing' Sir Christopher Hatton are most amusingly told—we cannot add without scandal against Queen Elizabeth;—on the contrary, Lord Campbell takes pains to prove that the arrangements of the royal apartments within four and twenty hours after the leader of the brawl first attracted her notice in Gray's Inn Hall, were about as suspicious as those of his own Queen Caroline and her friend Bergami at Naples;—but all this and the Keepership of Puckering also we must pass over.

The next that ascended the marble chair might well detain us; but we have given so much space to the 'mummies' that we can afford

afford little to the immortals. Lord Campbell has done the life of the illustrious *Ellesmere* in a manner worthy of such a subject—traced the long, arduous, dignified career with diligent research and recorded it with clearness and elegance—the theme, as well it might, evidently tempting him to unusual care, and inspiring a more than common warmth as well as grace of expression. In one paragraph Lord Campbell seems to invite a commentary—but we beg to be excused.

‘From the beginning he afforded the example of a consummate judge. He was not only courteous in his manner, but quiet, patient, and attentive—waiting to be instructed as to the facts and law of the case by the counsel who had been studying them—never interrupting to show quickness of perception, or to anticipate authorities likely to be cited, or to blurt out a jest—yet venturing to put a question for the right understanding of the points to be decided, and gently checking wandering and prolixity by a look or a hint. He listened with undivided attention to the evidence, and did not prepare a speech in parliament or write letters to his correspondents under pretence of taking notes of the arguments addressed to him. Nor did he affect the reputation of great despatch by deciding before he had heard both parties, or by referring facts and law to the Master which it was his own duty to ascertain and determine. When the case admitted of no reasonable doubt, he disposed of it as soon as the hearing was finished. Otherwise, he carried home the papers with him—not throwing them aside to moulder in a trunk, till, driven by the importunity of counsel asking for judgment, he again looked at them, long after the arguments he had heard were entirely forgotten and he could scarcely make out from his “breviate book” the points that had been raised for his decision,—but within a short time spontaneously giving judgment in a manner to show that he was complete master of the case, and never aggravating the anguish of the losing party by the belief that if the Judge had taken more pains the result would have been different.’

The great Chancellor is thus summed up:—

‘Considering the times in which Lord Ellesmere lived, and comparing him with his contemporaries who reached high office, we are bound greatly to respect his memory. Neither he nor any other mortal man could deserve the panegyric upon him by a contemporary historian who knew him well, “*Nihil in vita nisi laudandum aut fecit, aut dixit, aut sensit;*” but in thought, word, and deed, his errors were venial. We may pardon his enmity to Sir Edward Coke, who had tried to cover him with disgrace when he was supposed to be upon his death-bed. With all his other rivals and political opponents he seems to have lived on terms of courtesy if not of kindness. He never betrayed a friend.

‘As a politician he always stood up for the extension of the prerogative, and his doctrines were often inconsistent with our notions of a free constitution; but we must remember that precedents might then be cited for almost every exercise of arbitrary power; and the great patriot Sir Edward Coke, with other eminent men as late as the Revolution of 1688,

1688, laid it down for law, that an Act of Parliament to abolish the dispensing power would be inoperative, as the King could first dispense with the abolishing act, and then with the penalty to be dispensed with.

'While Lord Ellesmere was Chancellor the few state prosecutions which were instituted took a milder and more regular form; and if the Somersets were improperly pardoned, he was not accessory, like many of his predecessors, to the unjust shedding of noble blood.

'His great natural abilities had been assiduously cultivated, and he was one of the best public speakers who had yet appeared in England. His apprehension was keen and ready, his judgment deep and sound, and his elocution elegant and easy. "He was a grave and great orator, and best when he was provoked."

'As an Equity Judge he gained more applause than any one who had sat before him in the marble chair. With a knowledge of law equal to Edward III.'s lay Chancellors, Parvynge and Knyvet, so highly eulogised by Lord Coke, he was much more familiar with the principles of general jurisprudence. Not less noted for despatch and purity than Sir Thomas More, he was much better acquainted with the law of real property, as well as the practice of the court in which he had long practised as an advocate; and exhibiting all the patience and suavity of Sir Nicholas Bacon, he possessed more quickness of perception and a more vigorous grasp of intellect. Many ecclesiastical holders of the Great Seal were to be admired as statesmen and scholars, but none had been competent, without assistance, satisfactorily to preside in the judgment-seat.

'Ellesmere, while in his vigour, had himself disposed of the whole business of the Court of Chancery. In his declining years he required assistance; but to the last, every case of magnitude he heard and decided in person. During the whole of his time, there seems to have been an entire cessation of all impeachment of the Court of Chancery either for delay or corruption; and the only complaint against him that he exceeded his jurisdiction, was decided in his favour.

'He was very solicitous for the honour of the bar, which then seems to have had members much given to lying, quarrelling, making fraudulent bargains with their clients, and, when it suited their purpose, to insulting the Judge. During the hearing of the case of Ranolph Crew, 9 Jac. I., according to an accurate reporter, "*Le Seigneur Chancellor dit, Benedictus Dominus Deus justitiæ! et il exhort les Lawyers destre veriloqui, pacidici, et nemy de picipater en le benefit dascun suit; ut gratiose se gerant et Judici in judicio ne prejudicent.*"

'The practice of the King interfering with suits by writs of Privy Seal, under pretence that one of the suitors was in the royal service, still continued; but there is no reason to suppose that Ellesmere was influenced by these beyond granting delay, and all members of parliament were considered entitled to the like privilege.

'When any cause was depending before him in which a Peer was concerned, he gave him notice, by a missive under his hand, of the time appointed for hearing it; but he never was suspected of unduly leaning in favour of the aristocratic party—any more than of seeking
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vulgar praise by becoming counsel for the poor; and he had the rare good fortune to be, at the same time, the favourite of the Court and of the people.

‘Ellesmere is particularly to be commended for the exercise of his patronage. Unlike Cecil the father, and Cecil the son, to whom it is imputed by Bacon, their kinsman, that out of jealousy they wished to depress all rising men of merit, he was eager to befriend and bring forward all who were likely to be able to serve their country with credit and advantage. He strongly supported Bacon's claim to the offices of Solicitor and Attorney General; and recommended him as his successor. As another example, I may mention that having heard Williams, afterwards Bishop of Lincoln and Lord Keeper, when a tutor at Cambridge, preach a sermon which displayed great talent,—although a stranger to him, he made him his chaplain, and advanced him in the King's service, so that he afterwards attained the highest honours in the church and state.

‘In making Judges (a most important part of the duty of a Lord Chancellor, for by a bad judicial appointment no one can calculate the aggregate amount of evil inflicted on the community) Ellesmere deserves particular credit. His anxiety on this subject appears from a letter he wrote on the accession of King James, recommending a new call of Serjeants, “considering that moost of the Judges are aged, and the Serjeantes at Lawe now servinge at the barre not so sufficiency to supplye judicall places as were to be wyshed (ne quid dicam durius);”—a state of that venerable Court very different from what we have constantly seen in our time, when if, by a new gunpowder plot exploding at the Chancellor's levee the first day of term, all the Judges should suddenly be swept off,—the benches of the different Courts in Westminster Hall might well be replenished from the order of the coif.

‘His great church patronage, likewise, he dispensed with a single view to the public weal. “Livings,” said he, “rather want learned men than learned men livings, many in the Universities pining for want of places. I wish, therefore, some may have single coats before others have doublets; and this method I have observed in bestowing the King's benefices.”

‘He was a remarkably handsome and athletic man, and in his youth was much addicted to the sports of the field. He retained his personal beauty in his old age, insomuch that many went to the Court of Chancery to gaze at him; “and happy were they,” says the facetious Fuller, “who had no other business there!”

‘Although he always lived in a style suitable to his station, he left entirely of his own conquest landed estates to the value of 8000*l.* a year—equal to the wealth of the high hereditary nobility of that time.

‘“The Grandeur of the Law” shows that many distinguished noble houses owe their origin to Westminster Hall; but I do not recollect any instance of the family of a lawyer who had raised himself from obscurity* being so soon associated with the old aristocracy, or rising so

* Lord Ellesmere was a natural son of a gentleman of very ancient family and large estates in Cheshire. The present male representative of that old house of Egerton is Sir Philip de Malpas Grey Egerton, Bart.

rapidly to the highest rank in the peerage. John, the eldest surviving son, being created Earl of Bridgewater soon after his father's death, was married to a daughter of the Earl of Derby; and being Lord President of the Principality and Marches of Wales, and Lord-Lieutenant of the counties of Salop, Hereford, Gloucester, Monmouth, Glamorgan, Caermarthen, Pembroke, Cardigan, Flint, Caernarvon, Anglesea, Merioneth, Radnor, Brecknock, Montgomery, and Denbigh, kept his Court at Ludlow Castle, where his children were going

— to attend their father's state
And new intrusted sceptre—

—when passing through Haywood Forest they were benighted, and the Lady Alice was for a short time lost. This incident gave rise to "Comus," which was acted by her and her brothers, Lord Brackley and the Honourable Thomas Egerton.

'After this illustration, the family derived little additional splendour from the Ducal Coronet, which, in another generation, was bestowed upon them.

'The male line of Lord Chancellor Ellesmere, after producing many great and honourable characters, has failed; and he is now represented, through a female, by that accomplished statesman, Lord Francis Egerton, who enjoys the princely possessions of the family, and to whom every one will rejoice to see its honours restored.'—pp. 259-261.

Lord Campbell may well say that the English peerage has been largely stocked from the law. In Mr. Foss's late edition of 'The Grandeur' we find the following list of legal houses:—

<i>Dukes</i> , 3.—	Macclesfield.	<i>Barons</i> , 40.
Norfolk.	Buckinghamshire.	Le Despenser.
Devonshire.	Egremont.	De Clifford.
Manchester.	Guilford.	Zouch of Harringworth.
<i>Marquesses</i> , 7.—	Hardwicke.	Howard de Walden.
Winchester.	Bathurst.	Clifford of Chudleigh.
Townshend.	Clarendon.	Middleton.
Salisbury.	Mansfield.	Montfort.
Exeter.	Talbot.	Walsingham.
Camden.	Fortescue.	Montagu of Boughton.
Aylesbury.	Roslyn.	Kenyon.
Bristol.	Harrowby.	Thurlew.
<i>Earls</i> , 31.—	Verulam.	Lyttleton.
Suffolk.	Bradford.	Bayning.
Winchelsea.	Eldon.	Bolton.
Sandwich.	Somers.	Lilford.
Cardigan.	Burlington.	Basset.
Carlisle.	Effingham.	Alvanley.
Shaftesbury.	Yarborough.	St. Helens.
Coventry.	Leicester.	Ellenborough.
Tankerville.	Lovelace.	Erskine.
Aylesford.	<i>Viscount</i> , 1.—	Crewe.
Cowper.	Sydney.	Manners.

Gifford.

Gifford.	Wallace.	Hatherton.
Lyndhurst.	Wynford.	Cottenham.
Tenterden.	Brougham.	Stratheden.
Teynham.	Chaworth.	Langdale.
Grantley.	Denman.	Bruce.
Redesdale.	Abinger.	Campbell.

The Irish peerage would afford a crop in full proportion at least. The Scotch a much scantier one. The highest success at the Edinburgh bar has proved a stepping-stone to but one coronet since the union of the kingdoms, viz., the British viscounty of Melville. We rather wonder that we have never heard any complaint on the subject.

We are not sorry that we can give place to but the opening of Lord Campbell's 'Life of Lord Bacon :—

'It will easily be believed that I enter with fear and trembling on the arduous undertaking of attempting to narrate the history, and to delineate the character, of

"The wisest, brightest, meanest of mankind."

I must say, that I consider a life of Lord Bacon still a desideratum in English literature. He has often been eulogised and vituperated; there have been admirable expositions of his philosophy and criticisms on his writings; we have very lively sketches of some of his more striking actions; and we are dazzled by brilliant contrasts between his good and bad qualities, and between the vicissitudes of prosperous and adverse fortunes which he experienced. But no writer has yet presented him to us familiarly and naturally from boyhood to old age—shown us how his character was formed and developed—explained his motives and feelings at the different stages of his eventful career—or made us acquainted with him as if we had lived with him, and had actually seen him taught his alphabet by his mother—patted on the head by Queen Elizabeth—mocking the worshippers of Aristotle at Cambridge—catching the first glimpses of his great discoveries, and yet uncertain whether the light was from heaven—associating with the learned and the gay at the Court of France—devoting himself to Bracton and the Year Books in Gray's Inn—throwing aside the musty folios of the law to write a moral essay, to make an experiment in natural philosophy, or to detect the fallacies which had hitherto obstructed the progress of useful truth—contented for a time with taking "all knowledge for his province"—roused from these speculations by the stings of vulgar ambition—plying all the arts of flattery to gain official advancement by royal and courtly favour—entering the House of Commons, and displaying powers of oratory of which he had been unconscious—being seduced by the love of popular applause, for a brief space becoming a patriot—making amends, by defending all the worst excesses of prerogative—publishing to the world lucubrations on ~~points~~ which show the nicest perception of what is honourable and beautiful, as well as prudent, in the conduct of life—yet, the son of a Lord Keeper, the nephew of the prime minister, a Queen's counsel, with the first practice at the bar, arrested for debt, and languishing in a spunging-house—

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tired with vain solicitations to his own kindred for promotion, joining the party of their opponents, and, after experiencing the most generous kindness from the young and chivalrous head of it, assisting to bring him to the scaffold, and to blacken his memory—seeking, by a mercenary marriage, to repair his broken fortunes—on the accession of a new Sovereign offering up the most servile adulation to a Pedant whom he utterly despised—infinately gratified by being permitted, to kneel down, with 230 others, to receive the honour of knighthood—truckling to a worthless favourite with the most slavish subserviency that he might be appointed a law-officer of the Crown—then giving the most admirable advice for the compilation and emendation of the laws of England, and helping to inflict torture on a poor parson whom he wished to hang as a traitor for writing an unpublished and unpreached sermon—attracting the notice of all Europe by his philosophical works, which established a new era in the mode of investigating the phenomena both of matter and mind—basely intriguing in the meanwhile for further promotion, and writing secret letters to his Sovereign to disparage his rivals—riding proudly between the Lord High Treasurer and Lord Privy Seal, preceded by his mace-bearer and purse-bearer, and followed by a long line of nobles and Judges, to be installed in the office of Lord High Chancellor—by and bye, settling with his servants the account of the bribes they had received for him—a little embarrassed by being obliged out of decency, the case being so clear, to decide against the party whose money he had pocketed, but, stifling the misgivings of conscience by the splendour and flattery which he now commanded—struck to the earth by the discovery of his corruption—taking to his bed, and refusing sustenance—confessing the truth of the charges brought against him, and abjectly imploring mercy—nobly rallying from his disgrace, and engaging in new literary undertakings, which have added to the splendour of his name—still exhibiting a touch of his ancient vanity, and in the midst of pecuniary embarrassment refusing to “be stripped of his feathers”—inspired, nevertheless, with all his youthful zeal for science in conducting his last experiment of “stuffing a fowl with snow to preserve it,” which succeeded “excellently well,” but brought him to his grave,—and, as the closing act of a life so checkered, making his will, whereby, conscious of the shame he had incurred among his contemporaries, but impressed with a swelling conviction of what he had achieved for mankind, he bequeathed his “name and memory to men’s charitable speeches, to foreign nations, and the next ages.”—vol. ii. p. 268.

We say we are not sorry that we must here suspend our quotation. Lord Campbell has produced a masterly review of Bacon’s whole career, and we leave it unbroken to be studied and admired now and hereafter in the work on which it alone would have been sufficient to stamp the character of solid worth. It is a specimen of care and taste which has not been excelled, in our judgment, by any effort of this age so rich in biography.

The *Lives of Ellesmere and Bacon* occupy 280 pages in the second of these volumes. Then follow shorter sketches of the last ecclesiastical Lord Keeper, Bishop Williams; Lord Keeper

Coventry; Lord Keeper Finch; Lord Keeper Littleton; and the honest, unspotted Lane, who held the Great Seal at Oxford, served Charles I. with affectionate zeal to his end, and ended his own life in such obscurity that Lord Campbell has been unable to trace him either to an English or a foreign grave. The following sentences do much honour to Lord Campbell:—

‘I should have been delighted to relate that Charles’s last Lord Keeper lived in an honourable retirement during the rule of those whom he considered rebels and usurpers, and survived to see the restoration of the monarchy under the son of his sainted Master; but I regret to say that I can find no authentic trace of him after the capitulation of Oxford. From the language of Lord Clarendon, it might be inferred that he expired soon after that misfortune, while others represent that he followed Prince Charles to the Continent, and died in exile.

‘Considering Sir Richard Lane’s spotless integrity, and his uniform adherence to his principles,—notwithstanding his comparative obscurity and his poverty, he is more to be honoured than many of his predecessors and successors who have left behind them a brilliant reputation, and ample possessions and high dignities to their posterity.’—vol. ii. p. 619.

The third of these volumes is in many respects the most interesting and important of the series. It deals with the half century of revolution between Lane and Somers—presenting vividly contrasted portraiture of the chief judges of the Commonwealth, and of men whose names are landmarks in English history—Clarendon—Shaftesbury—Nottingham—Guildford—Jeffreys—but so presenting these great figures that we have each in succession with the appropriate environment, and that, on quitting the gallery, we have received, perhaps, a clearer impression of the whole period than could be derived from any one volume of any class whatever that had been published hitherto. We are bound to add, that we leave it too with very great respect for the author’s candour. His Whiggism is steady and bold; but we have not discovered one instance in which party feelings have interfered with his personal estimate of a Tory. He appears to us to have fixedly aimed at justice. He has spared no pains in balancing testimonies. His summaries of character are always those of a judge who has at least used his best endeavour to rid his mind of all prejudice. We can expect no better.

The literary skill of the composition is also much to be admired. He has managed to reproduce general history in a series of professional biographies, without almost ever exposing himself to the charge of trespassing beyond the bounds of his avowed province. This required very great dexterity. The labour must have been vast that reached such results: yet the whole has the stimulating effect of a work written *con amore*.

As often as any prominent character or event of this pregnant half

half century shall be brought under discussion, Lord Campbell's authority and decision will have to be weighed and studied. We may, therefore, adhere with a safe conscience to the humble plan of this paper, and merely amuse ourselves, and we hope our readers, with a few *notabilia*—such things as we naturally marked with our pencil on a first perusal.

It was during the Long Parliament that the custom of *pairing off* was first introduced (iii. 26). A Presbyterian and an Independent, agreeing in little else, sympathised at the dinner-hour, and withdrew to sit at meat together in some neighbouring tavern, and return together when satisfied. By and bye honourable members took courage to trust each other's words; and Whig and Tory pairs now-a-days do not very often retire for a tête-à-tête chop at the club.

Lord Campbell's views as to Cromwell will not please our good friend Mr. Thomas Carlyle, who, we believe, has nearly finished a biography of Oliver as the model of a 'King.' For example, the night before the 'bauble' was removed, there was a meeting at Whitehall, attended by the principal officers of the army and the heads of the Independents:—

'The officers of the army inveighed bitterly against the parliament, and declared violently for a change. Cromwell reproved them for these expressions of opinion,—from which those who knew him best conjectured that he had prompted their project, and that he was resolved at all risks to support it.'

The parties reassembled next morning, and again no agreement was come to. Whitelock retired with his mind in utter obscurity.

'Historians profess themselves wholly at a loss to account for the open, imperious, and frantic manner in which Cromwell a few hours after expelled the members from the House,—which they consider as inconsistent with his general character,—not attending to the fact that to gain his object he had previously exhausted all the arts of intrigue, deceit, and hypocrisy.'—vol. iii. p. 52.

We find, on the subject of 'Chancery delays' in the days of Charles II., a note which gives us a curious anecdote of a gentleman but recently lost to the social world which he had long embellished:—

'The late Mr. Jekyll told me that soon after he was called to the bar, a strange solicitor coming up to him in Westminster Hall, begged him to step into the Court of Chancery to make a motion of course, and gave him a fee. The young barrister looking pleased, but a little surprised, the solicitor said to him, "I thought you had a sort of right, sir, to this motion, for the bill was drawn by Sir Joseph Jekyll, your great-grand-uncle, in the reign of Queen Anne."'

Perhaps the most *picturesque* of all these lives is the last—
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that of Lord Jeffreys, whose atrocious celebrity as a criminal judge has almost absorbed the memory of his ever having held the Great Seal.

After going through the crowded vicissitudes of Lord Jeffreys' career, one is startled at reading that it closed when he was only forty years of age. Of very humble origin (the son of a little Welsh shopkeeper), with no influential connexions, never suspected even of severe application in any line of study—that he should have risen to be Recorder of London at the age of thirty, is sufficient proof that his natural talents were very extraordinary. His profligacy accounts too well for his subsequent elevations; but even Roger North admits, that when under no excitement either of politics or of brandy, the Chief Justice of England was the most dignified judge he ever saw on any bench: and Lord Campbell pronounces his decisions as Chancellor to have been in general much to his credit. That was morning work; that he ever was entirely sober after mid-day, during his prominent years, we much doubt; that latterly he had drunk himself into a species of insanity, there is little question. The whole story is told by Lord Campbell with most thrilling effect: but we shall extract only two or three brief passages.

The last sentence of the following paragraph is worthy of the sagacity of Tacitus, or the sarcasm of Macchiavelli:—

‘James, far from abandoning his plans, was more resolute to carry them into effect. The Earl of Rochester, his own brother-in-law, and others who had hitherto stood by him, having in vain remonstrated against his madness, resigned their offices; but Jeffreys still recklessly pushed him forward in his headlong career. In open violation of the Test Act, four Catholic lords were introduced into the Cabinet, and one of them, Lord Bellasis, was placed at the head of the Treasury in the room of the Protestant Earl of Rochester. Among such colleagues the Lord Chancellor was contented to sit in Council, and the wonder is, that he did not follow the example of Sunderland and other renegades who, at this time, to please the King, professed to change their religion, and were reconciled to the Church of Rome. Perhaps, with his peculiar sagacity, Jeffreys thought it would be a greater sacrifice in the King's eyes to appear to be daily wounding his conscience by submitting to measures which he must be supposed inwardly to condemn.’—vol. iii. p. 554.

Our next quotation may deserve particular attention:—

‘The Earl of Castlemaine was sent to Rome, regularly commissioned as ambassador to his Holiness the Pope, a Papal nuncio being reciprocally received at St. James's. But however impolitic this step might be, I do not think that the King and the Chancellor are liable to be blamed, as they have been by recent historians, for having in this instance violated acts of parliament. If all those are examined which had passed from the commencement of the Reformation down to the “Bill of Rights,”

Rights," it will probably be found that none of them can be applied to a diplomatic intercourse with the Pope.

'Whether this is now forbidden depends upon the construction to be put on the words in the Bill of Rights, "shall hold *communion* with the See or Church of Rome." James's diplomatic intercourse with the Pope is not there alleged as one of his infractions, by which he had sought to subvert the religion and liberties of the kingdom.'—vol.,iii. p. 855.

We should not be greatly surprised to find the preceding sentences made the subject of discussion during some not remote session of parliament.

'When we read in history of civil commotions and foreign invasions, we are apt to suppose that all the ordinary business of life was suspended. But on inquiry, we find that it went on pretty much as usual, unless where interrupted by actual violence. While the Prince of Orange was advancing to the capital, and James was marching out to give him battle, if his army would have stood true,—the Court of Chancery sat regularly to hear "exceptions" and "motions for time to plead;" and on the very day on which the Princess Anne fled to Nottingham, and her unhappy father exclaimed, in the extremity of his agony, "God help me! my own children have forsaken me," the Lord Chancellor decided, that "if an administrator pays a debt due by bond before a debt due by a decree in Equity, he is still liable to pay the debt due by the decree." (24th Nov. 1688. 2 Vernon, 88, Searle v. Lane). This, however, appears to have been the last day of his sitting.'

"He had," says North, "a set of banterers for the most part near him, as in old time great men kept fools to make them merry. And these fellows, abusing one another and their betters, were a regale to him." But there can be no doubt that he circulated in good society. He was not only much at Court, but he exchanged visits with the nobility and persons of distinction in different walks of life. In the social circle, being entirely free from hypocrisy and affectation,—from haughtiness and ill nature,—laughing at principle,—courting a reputation for profligacy,—talking with the utmost freedom of all parties and all men,—he disarmed the censure of the world,—and, by the fascination of his manners, while he was present, he threw an oblivion over his vices and his crimes.

'From Sir John Reresby we learn how very pleasant (if not quite decorous) must have been his parties in Duke Street.* "I dined with the Lord Chancellor, where the Lord Mayor of London was a guest, and some other gentlemen. His Lordship having, according to custom, drank deep at dinner, called for one Mountfort, a gentleman of his, who had been a comedian, an excellent mimic; and to divert the company, as he was pleased to term it, he made him plead before him in a feigned cause, during which he aped the judges and all the great lawyers of the age in their tone of voice and in their action and gesture of body, to the very great ridicule, not only of the lawyers, but of the law itself, which

* The chapel in Duke Street, Westminster, is a relic of Lord Jeffreys. It was the great hall of a mansion erected by him, and there he used to transact his judicial business out of term.

to me did not seem altogether so prudent in a man in his lofty station in the law : diverting it certainly was, but prudent in the Lord Chancellor I shall never think it."

'On one occasion dining in the city with Alderman Duncomb, the Lord Treasurer and other great courtiers being of the party,—they worked themselves up to such a pitch of loyalty by bumpers to "Confusion to the Whigs," that they all stripped to their shirts and were about to get upon a sign-post to drink the King's health,—when they were accidentally diverted from their purpose,—and the Lord Chancellor escaped the fate which befell Sir Charles Sedley, of being indicted for indecently exposing his person in the public streets. But this frolic brought upon him a violent fit of the stone, which nearly cost him his life.

'I should have expected that, boldly descending to the level of his company, and conscious of great mental power, he would have despised flattery ; but it is said that none could be too fulsome for him, and this statement is corroborated by some Dedications to him still extant. The pious author of the "History of Oracles and the Cheats of the Pagan Priests" (1686), after lauding his great virtues and actions, thus proceeds :—"Nor can the unthinking and most malicious of your enemies reproach your Lordship with self-interest in any of your services, since all the world knows that when they were thought criminal, nay even punishable,—you had nothing left you but HONOUR, JUSTICE, and INNOCENCE."

He was not only famous, like the Baron of Bradwardine, for his *chansons à boire*, but he had a scientific skill in music, of which we have proof at this day. There being a great controversy which of the two rival organ-builders, Smith or Harris, should be the artist to supply a new organ to the Temple Church, it was agreed that each should send one on trial, and that the Lord Chancellor should decide between them. He decreed for Smith,—the deep and rich tones of whose organ still charm us. Harris's went to Wolverhampton, and is said to be of hardly inferior merit.'—vol. iii. pp. 590, 591.

Jeffreys having on the downfall of James assumed the disguise of a common sailor, and secured a berth in a merchant-vessel bound for the continent, might in all likelihood have escaped in safety—but for his love of strong liquors. He would be put ashore in the morning to taste the beer of the Red Cow at Wapping—and was, although he wore a tarpaulin jacket, and had shaved off his terrible eyebrows, recognised in that pothouse by an attorney whom he had recently browbeaten in the Court of Chancery. The result is well known. It is new, to us at least, that just before the catastrophe James had promoted him to the Earldom of *Flint*. The patent could not have passed the seal.

We need hardly say that we shall expect with great interest the continuation of this performance. But the present series of itself is more than sufficient to give Lord Campbell a high station among the English authors of his age.

- ART. II.—1. *Eusebius, Bishop of Cæsarea, on the Theophania, or Divine Manifestation of our Lord and Saviour Jesus Christ. A Syriac Version edited from an ancient Manuscript recently discovered.* By Samuel Lee, D.D., Regius Professor of Hebrew in the University of Cambridge. 8vo. (Printed for the Society for the Publication of Oriental Texts.) 1842.
2. *The same. Translated into English with Notes; to which is prefixed a Vindication of the Orthodoxy and Prophetical Views of Eusebius.* By Samuel Lee, D.D. 8vo. 1843.
3. *The Antient Syriac Version of the Epistles of St. Ignatius to St. Polycarp, the Ephesians, and the Romans; together with Extracts from his Epistles collected from the Writings of Severus of Antioch, Timotheus of Alexandria, and others.* Edited, with an English Translation and Notes, by William Cureton, M.A. 8vo. London. 1845.
4. *Journal of a Tour through Egypt, the Peninsula of Sinai, and the Holy Land in 1838, 1839.* Intended solely for private circulation. 2 vols. 8vo. London, 1842.

AMONG the societies lately formed for publishing manuscript works contained in our public libraries, there is none which embraces a sphere so extensive, which aims at promoting so high a class of literature, and which, if adequately supported, promises to afford so valuable an addition to our stock of learning and science, as that under whose auspices Dr. Lee has put forth the volume named at the head of this paper. It is to the East only that we can look for direction in our endeavours to obtain fuller information upon many of the most interesting of subjects. It is hence only that we can hope to draw any additional knowledge concerning the earliest races of mankind, or any help in tracing their descendants among the present nations of the world. In the absence of any written record of events, the only course is to collect the traditions prevalent in those countries, to endeavour to decipher ancient inscriptions, to read the legends of coins, and to trace the connexion and intercourse of peoples by the affinities and intermixtures of language. But no one can qualify himself for such a task otherwise than by studying the present languages and literature of those countries. In vain will he pore over the hieroglyphic or demotic inscriptions and papyri of Egypt who has not grappled with the Coptic: vain will be every endeavour to explain the Pehlevi, and arrow-headed inscriptions at Persepolis, or the legends on the Babylonian bricks and cylinders, unless the inquirer has previously made himself acquainted with the Chaldee or Aramaic, and the modern Persian, and the Zend as preserved in the books of the Parsees. What has been already done for ethnography

ethnography by the comparison of language since the introduction of the Sanscrit into Europe, shows how much more we may reasonably expect when the different stocks and dialects of oriental tongues shall have been more extensively cultivated.

But not only may we look to the East for fuller means of tracing the history of the earliest races of mankind;—from the same quarter we may also hope to recover much of the science and literature of Greece and Rome, which appears to have perished in the original languages. And still more, even in those authors which have been preserved many obscurities may be cleared up and difficulties explained by comparing them with oriental versions made previously to the time when multiplied transcriptions had introduced many errors into the original text. Ælian, writing in the first half of the third century, mentions that it was reported that the Indians and Persians had translations of the poems of Homer, which they used to sing in their own language. (*Var. Hist.*, lib. xii. c. 48.) And the historian Agathias, in the middle of the sixth century, informs us that the Persian monarch Chosroes was said to be more thoroughly imbued with the writings of Aristotle than even Demosthenes with those of Thucydides, and to be perfectly versed in the works of Plato, which had been translated expressly for his use. (*Hist. Justin.*, lib. ii.) We have also evidence before us that as early as about the end of the seventh century of our era, several works were translated from the Greek into the Arabic. In the eighth and the earlier part of the ninth century, under the Abbassides, this labour of translation is known to have been carried on to a great extent. No expense was spared to procure the works of the learned in every language. Greeks, Syrians, Persians, and Indians met on the banks of the Tigris to give their aid in spreading knowledge and civilization among the Arabs.

Of these translations many still remain. Those of which the originals are extant may often be used with great advantage. We would instance the case of Ptolemy; where the astronomical skill of the Arabs at that period would enable them to correct mistakes in numbers and figures which might altogether escape the notice of Greeks, and where the evidence of their tradition will be most important, because in such cases no critical knowledge of the original language can be of any avail to rectify an error. Of works lost in the original, which have already been restored to us through this channel, we may instance the fifth, sixth, and seventh books of the Conic Sections of Apollonius of Perga, translated into Latin from the Arabic by the Maronite Abraham Ecchellensis; and his work on the Section of the Ratio, made known by the publication of Hälley, who, without understanding

standing a word of Arabic, was enabled by his great geometrical skill to state and demonstrate the several propositions from the schemes in the manuscript of the Bodleian.

Versions were also made from the Greek into the Armenian at a very early period, especially of ecclesiastical works. The publication of the Armenian translation of the *Chronicon* of Eusebius, has been of essential service to history, and has confirmed the criticism of Scaliger respecting the original. The Book of Enoch, first made known to Europe by the translation of the late Archbishop Laurence, shows that something has been already recovered from the *Æthiopic*: and the Coptic too may yet make us better acquainted with writings hitherto only known to us by the tradition that they once existed.

But it is above all to the Syriac or Aramaic that we may look for the recovery of works lost in the original Greek. This language, which with slight variations prevailed from the Mediterranean to the Euphrates, and from the confines of Arabia and Egypt to Armenia, not only possesses a peculiar interest for us as being that used by our Saviour and his disciples, but also as being the vernacular tongue of many writers who hold a high rank in Grecian literature; whose works therefore can hardly be entirely free from some of the idiomatic expressions of their native land. The New Testament is, as we may naturally expect, full of Aramaisms; and one of the Evangelists is believed, not without good grounds, to have written his Gospel in that tongue. The earliest version of the New Testament is undoubtedly the Syriac; and after the Septuagint, that of the Old Testament also. This is not the place to discuss the question as to the period when those versions were made; but better arguments than occidental scholars have hitherto been willing to admit, support the belief of those branches of the Christian Church which first made use of them, that they touch upon Apostolic times. The work of translating from the Greek into the Syrian was certainly commenced very early. We are told by Eusebius in his account of the Martyrdom of Procopius, A.D. 303, that he had been employed in translating from the Greek into Aramaic. This passage does not indeed occur in the Greek text of the Martyrs of Palestine, as it has come down to us, but it is found both in the Syriac and in the ancient Latin version. Indeed the age of the manuscript itself in which the Syriac translation of the Acts of the Martyrs of Palestine and the *Theophania* of Eusebius, together with the *Recognitions* of St. Clement and the treatise of Titus of Bostra against the Manicheans, are found, shows that considerable progress in the work of translation from the Greek into Syriac must have been made as early as about A.D. 400.

Dr.

Dr. Lee has given us in one volume the Syriac text of the Theophrastus, and in another his own version of it into English—with a preface and notes displaying great and varied erudition. But what we propose at present to consider is not the contents of the book, but its external history; the discovery of a very considerable theological treatise by Eusebius, of which only two or three fragments had been known, must excite a desire to learn what circumstances have at length brought it to light, and what reasons we may consequently have to hope for further acquisitions of a similar nature.

About six years ago the Rev. Henry Tattam, of Bedford, made a journey to Egypt, with a view of collecting MSS. serviceable towards an edition of the Scriptures in Coptic. Besides Coptic treasures, he brought back about fifty volumes of Syriac MSS.—some extremely ancient. Dr. Lee says:—

‘It was in looking over these manuscripts that I had the extreme pleasure of discovering that of which the following work is a translation. . . . The manuscript containing our work is very neatly written in the Estrangelo or old Church-hand-writing of the Syrians, on very fine and well-prepared skin. It is of the size of large quarto, each folio measuring about $14\frac{1}{2}$ inches by $11\frac{1}{2}$, and containing three columns, each of the width of $2\frac{1}{4}$ inches.’

The Professor then translates a note from one of the margins, which states that the transcript was made at Edessa in Mesopotamia, in the year of our Lord 411. The age of the manuscript therefore, according to this note, the veracity of which there is no ground to question, is 1434 years. At first sight, notwithstanding all our readers have heard of the dryness of the Egyptian climate, the date assigned may startle them; but we can assure them that in the collection of upwards of three hundred manuscripts amongst which this was discovered, there are many from the fifth to the thirteenth century as to which there can be no doubt. They are all noted with the year of the era of the Greeks (Seleucidæ); some also with that of the Martyrs; others, which are more recent, with that of the Hijrah likewise; and these notices are accompanied by so many particulars as to the scribe himself, as to the convent where each manuscript was transcribed, who was its superior, who its principal officers, who was then bishop of the diocese, and who the supreme patriarch, as to leave no possibility of mistake as to the date. By comparing the style of the handwriting, the nature of the vellum, and other particulars of those manuscripts which are not dated, or in which the note of the year is either erased or lost, with such as still retain the record of the year, we are enabled to decide, with a tolerable degree of certainty, the age even of the manuscripts without a date. There are

are in the collection one dated manuscript of the fifth and many early in the sixth century, and from comparing Dr. Lee's volume with these, we could not attribute it to a later date than that in which he acquiesces.

The manuscript was purchased by Mr. Tattam from the convent of St. Mary Deipara, in the desert valley of Nitria, situated between 30 and 31 degrees both of latitude and longitude, about 35 miles to the left of the most western branch of the Nile. The name of Nitria belongs properly to the northern part of the valley, where the famous natron lakes are situated; the southern part is more correctly the Valley of Scithis, or Scete, and is also called the Desert or Valley of Macarius, from the convent dedicated to one of the three saints who bore that name. Each of these three appellations may however be applied generally; and Mohammedans commonly call the whole valley Wādi Habīb, after one of their own saints, who retired hither about the end of the seventh century.

This valley, most probably from its lonely situation, and possibly also, as Jerome seems to hint, from some fancied virtues of purification in the lakes themselves, in allusion to the passage of Jeremiah (xi. 22), 'For though thou wash thee with nitre,' &c., has been celebrated as the resort of ascetics from the earliest times. About the middle of the second century we read of one Fronto who retired thither with seventy brethren. At the beginning of the fourth century, Ammon, who, although there were ascetics before his day, has generally been reputed the originator of monasticism, withdrew from the world to this spot. The fame of his compulsory marriage, of the resolution of virgin purity which he persuaded his bride to adopt, and his retirement to the desert so soon as the death of his parents left him at liberty, gained for him many followers. But a very few years afterwards, Macarius is said to have instituted the first establishment in that part of the valley which to this day bears his name. To this place Arsenius, the preceptor of Arcadius and Honorius, retired upon the death of Theodosius. The number of ascetics increased, in a short time, to an almost incredible amount. Rufinus, who visited them about the year 372, mentions some fifty convents or tabernacula; and Palladius, who fifteen years later passed twelve months here, reckons the devotees at five thousand. Jerome visited this desert about the same period. From the narratives which these have given, with the accounts of Evagrius and Cassien, we may gather a very accurate knowledge of the manners of these monks at the end of the fourth century. Subsequently we have few materials for their history down to the middle of the seventh, when Egypt was taken by the Arabs.

From

From this period the only information is to be gathered from Arabic writers. The convents and their inmates seem to have been regarded with peculiar interest even by those who had embraced the religion of the Koran. Not only were several immunities granted them upon different occasions, but they even formed a favourite subject of poetry for the Moslem writers of the third and fourth century of the Hijrah. Abu'l-Faraj Al-Ispahani, a celebrated Arabian who died A.D. 967, published the *Kitáb al-Diárát*, or, Book of Convents, which contained all the best poems inspired by the aspect of the Christian convents and the habits of their inmates. If any reliance is to be placed upon Al-Makrizi, in his famous work on the History, Antiquities, and Topography of Egypt, Monasticism must have increased most rapidly in about two hundred and fifty years: for he says that after the conquest of Egypt by Amr Ibn Al-A's, seventy thousand monks met him at Teraneh, each with a crook in his hand, to implore that he would grant them a deed of security. To this request the Arab assented. The number seventy thousand seems enormous; but both the manuscripts which we have consulted agree on this point.

About the end of the seventh century the Khalif imposed a tribute of a dinar each upon all the monks, but they appear to have remained without further molestation during the whole of the eighth century. Shortly after the death of Harún Al-Rashid, at the commencement of the ninth, the Kharigites having seized upon Alexandria, made an excursion also into the Wadi Habíb, plundered and burnt the monasteries, and carried away many of the monks for slaves. Such as could escape were scattered abroad into different countries, and many found an asylum in the convents of the Thebaid. With this event the decline of monasticism in Egypt seems to have commenced. We find, however, that under Jacob, the next Patriarch, many of the monks returned to Scete, and some of its convents were rebuilt. In the days of the 52nd Patriarch we are told that they were again in a thriving condition. Under Sanutius, the 55th in succession upon the throne of St. Mark, an order was obtained from the Mohámmedan sovereign to liberate their monks from the payment of tribute. The Patriarch, who had been himself formerly steward of the Monastery of Macarius, seized upon this as a favourable opportunity to restore that edifice. He not only completely rebuilt it, but surrounded it with a high wall to protect it against sudden incursions of the Arabs, labouring with his own hands in the work. Elmacin informs us that the Patriarch Gabriel restored some of the convents at the beginning of the tenth century, but does not specify which they were. It seems probable,

probable, however, that at this period the Syrian convent of St. Mary Deipara, concerning which we are most interested, was in a flourishing state, as we find that in the year 932 Moses of Tecrit, who was then Abbot, having had occasion to make a journey to Bagdad, brought with him upon his return an accession to the library of not less than two hundred and fifty volumes—among which in all probability was the manuscript containing the Theophania.

About a century after this we have mention also of the library of the Monastery of Macarius. Severus, Bishop of Aschmounin, to whom Renaudot is indebted for most of the facts in his work on the Patriarchs of Alexandria, informs us that he consulted for the compilation of his history various MSS. both in Greek and Coptic, then existing in that library. There is little mention in such books as are accessible to us, of the condition of those monasteries during the twelfth and thirteenth centuries. We are told that it was a practice of the Patriarchs of Alexandria to visit the Convent of Macarius immediately after their election, and also that they used to pass the season of Lent there.

According to Al-Makrizi, writing at the beginning of the fifteenth century, the number of monasteries had once amounted to a hundred, but at his time they were reduced to seven. That of St. Macarius was still a fine building, but even its inhabitants few, and the other buildings in a ruinous state.

In later times several Europeans have visited these convents. Gassendi relates, in his Life of Peiresc, that a Capuchin monk named Egidius Lochiensis (Giles de Loche), who had resided seven years in Egypt for the purpose of studying oriental languages, informed Peiresc that there existed in several of the monasteries great quantities of manuscripts, and that he himself had seen in one of them a collection of about eight thousand volumes, many of great antiquity, some as old as the time of St. Anthony. This monk had doubtless given a somewhat exaggerated statement. The monastery to which he alludes is, in all probability, that of St. Mary of the Syrians, near the Natron Lakes, as from all the accounts which have reached us, this possessed by far the greatest number of books. Vansleb, during his visit to Egypt in the year 1672, had formed the resolution of making an excursion to the Natron Lakes; and, although frustrated in this design, he did visit the convent of St. Anthony in the desert near the Red Sea. We mention this because he was admitted into the library, which was situated, as is generally the case, in the strong tower where all their valuables are kept. This collection, he says, consisted of three or four chests of ancient Coptic and Arabic manuscripts, chiefly church books and books

books of devotion, some of which seemed to him well worthy of a place even in a royal library. Of the whole number he selected two, one a Coptic and Arabic dictionary and grammar, valued by the monks at thirty crowns, and the other a ritual of the ceremonies of the Coptic church, very carefully transcribed. These he was anxious to obtain; but failed because the monks could not alienate them without incurring the risk of excommunication by the patriarch; and further, which perhaps was the strongest reason, because he was himself but ill furnished with funds.

Six or seven years later the monks of Nitria were visited by our own countryman, Robert Huntington, then chaplain at Aleppo, and afterwards successively provost of Trinity College, Dublin, and bishop of Raphoe, whose fine collection of Oriental manuscripts now forms part of the priceless treasures in the Bodleian. During his residence of eleven years in the East he had availed himself of every opportunity to enrich his stock; but the book which of all others he was most anxious to procure, as appears from his letters, published by Dr. Thomas Smith in the year 1704, was the Syriac version of the epistles of St. Ignatius, bishop of Antioch. The Ignatian controversy was then at its height. The immortal work of Bishop Pearson was published about two years after Huntington had left England, and much interest was felt for the discovery of the Syriac version; to the existence of which Archbishop Usher had drawn attention in the preface to his edition of the Epistles of Polycarp and Ignatius. It was principally from his anxiety for this Syriac version that he undertook his journey into Egypt in the year 1678 or 1679, and proceeded across the desert to the Natron Lakes. He seems to have entertained considerable expectations of finding the epistles of Ignatius here; but in this hope he was disappointed: although the Syriac version of three of these epistles, and two copies of that to Polycarp, existed at that time in the Syrian monastery of St. Mary Deipara, as will be seen in the sequel. The Syrian monks doubtless did not admit Huntington into their library, as the only book which he mentions was an Old Testament in the Estrangelo character. In the convent of St. Macarius he states that he saw a large volume of St. Chrysostom in Coptic, on vellum, an immense volume containing his commentary on St. Matthew in Arabic, and a Coptic Lectionary for the whole year in four large volumes. In the monastery called El-Baramous, which at that time was inhabited by twenty-five monks and a superior, he makes mention of no other books than a copy of the New Testament in Coptic and Arabic. He does not speak of any manuscripts in the convent

vent of Amba Bishoi, which he says was at that time in a less ruinous condition than either of the other three; he speaks, however, of the still famous tamarind-tree. The tradition is that St. Ephraem, out of pious anxiety to see St. Pisoës, or Pissas, now corrupted into Bishoi, the fame of whose sanctity had travelled as far as Edessa, undertook the long and weary journey from the confines of Armenia to the desert of Nitria. This zeal was rewarded by a miracle. Upon his arrival he hastened to the cell of St. Pisoës and stuck his staff in the sand before the door as he entered. The staff immediately struck root and sprouted, and eventually grew up into that fine and beautiful tamarind-tree which the monks then showed, and we believe still show, as a living record of the visit of St. Ephraem. Huntington was informed that the number of convents had once amounted to three hundred and sixty-six. How many books he found is not mentioned; but we find that he sent to England, to Dr. Marshall, who was then preparing an edition of the New Testament in Coptic, a copy of the Evangelists in that language, which he obtained from one of these monasteries.

The next of whose visit any account has reached us is Gabriel Eva, a monk of the order of St. Anthony, and abbot of St. Maura in Mount Lebanon. After a journey through Egypt, he had been sent on a mission to Rome by Stephen, the Maronite patriarch of Antioch; and the account he gave of the Nitrian convents was received with much interest by Clement XI. The Pope was anxious to transfer from the desert to the Vatican a collection of manuscripts rendered precious and venerable by their extreme antiquity, and probably containing an unexplored mine of theological learning. It happened that Elias Assemani, the cousin of the famous Joseph Simon Assemani, had been sent by Stephen of Antioch, upon business to Rome, and having already accomplished the object of his journey, was at that moment on the point of returning to Syria. No person could be better qualified to undertake the mission to the desert of Nitria, and Gabriel Eva accordingly recommended him to the Pope. Furnished with letters to the Coptic patriarch, he left Rome in the spring of 1707, and was graciously received at Cairo. He arrived at the monastery of the Syrians about the end of June; the introduction of the patriarch procuring for him a good reception. The urbanity of his manners, his perfect knowledge of their habits and language, soon gained him the good-will of the monks, and at length they admitted him into their library: this he found a sort of cave or cellar, filled with Arabic, Syriac, and Coptic manuscripts, heaped together in the greatest disorder, and falling to pieces through age and want of attention.

tion. A little examination satisfied him of their value, and he began to entertain great hopes of being able to persuade the good monks to part with books which they were utterly unable to read. But frightened, perhaps, by the anathemas, denounced in almost every volume by its donor, against all those who should be in any way instrumental in alienating it—suspicious by nature, and ready to suppose that what a stranger was eager to get hold of must contain some treasure—they turned a deaf ear to his request for the sale of the whole collection, and only with very great difficulty were they induced to part with about forty manuscripts. These being transported across the desert to the Nile, Elias Assemani set out, accompanied by one of the monks, to return in a boat to Cairo. On their way a gust of wind upset the boat. The monk was drowned, but another boat, passing by, picked up Assemani; and in the midst of a tumult of feelings, his energy did not abandon him. He immediately hired several watermen to fish up the manuscripts; and, having with much care wiped away the slime, he dried and restored them as well as he was able. The manuscripts, in number thirty-four, were deposited in the Vatican about Christmas, 1707.

Their obvious importance was a powerful stimulus. The Pope therefore determined to send again into Egypt, and selected J. S. Assemani, who set out in June, 1715. The head of the Coptic church received him kindly; and he left Cairo to proceed on his journey to Scete about the middle of August, accompanied by Philotheus, a monk of the convent of St. Macarius, as his guide. Having arrived at Etris, a small village on the western branch of the Nile, they turned across into the desert and came first to the convent of St. Macarius. Here he obtained some excellent Coptic manuscripts, of which he has given a catalogue in his '*Bibliotheca Orientalis*' (vol. i. p. 617); and these, he says, were all they possessed of any consequence. His next visit was to St. Mary Deipara: here he found upwards of two hundred Syriac manuscripts, all of which he carefully examined, and selected about one hundred, hoping that he might be able to purchase them. But upon this, as upon the former occasion, if Assemani's own account be correct, the monks continued most obstinate; nor could he prevail upon them by argument, bribe, or entreaty to give up to him more than a very few volumes.

In the interval between the journeys of Elias Assemani and that of his cousin the convents of Nitria had also been visited (December, 1712) by the Jesuit Claude Sicard. The once flourishing monastery of St. Macarius at that period had only
four

four inhabitants—the superior, two deacons, and a porter. Having passed one day in this convent he proceeded to that of the Syrians, which he describes as being in the best condition of them all, having a very agreeable garden, watered by a well, in which were many trees of various kinds. The number of monks was not above twelve or fifteen. Having remained here two days, during which time he made a short visit to the convent of Amba Bisoi, only a few paces distant, and inhabited by but four monks, he set out at sunrise on the morning of the 11th, and arrived at the monastery of the Holy Virgin of El-Baramous, or of the Greeks, about noon. The number of monks here was also about twelve or fifteen. Sicard states that in the immediate neighbourhood of this convent were the ruins of ten or twelve other buildings, and that he could distinctly trace through the valley the ruins of upwards of fifty monasteries; and that the superior of St. Macarius informed him that they were formerly equal in number to the days of the year. Sicard does not upon this occasion make any particular mention of the books in either of these convents, but merely states that in the tower of each there was a library, which consisted of three or four chests filled with books and ancient manuscripts, covered with dust and in a neglected condition. This Jesuit revisited Nitria with J. S. Assemani, and afterwards accompanied him, upon his return to Egypt in the next year, 1716, in his expedition across the desert of the Thebaid to the convents of St. Anthony and St. Paul near the coast of the Red Sea. Sicard, in describing their visit to the monastery of St. Anthony, says,—

‘He [Synoditus, the superior of the convent] was more tractable when Assemani¹ begged him to show us the tower which is shut against all strangers; for, making him some trifling presents of hardware (the good monk was a great student of astrology and alchemy, and the transmutation of metals), we persuaded him to conduct us thither. Our only curiosity was to see the manuscripts. We found three chests-full, being all that had escaped the ravages which at different periods had befallen the monastery. We examined them all. For the most part they consisted of prayers and homilies in Coptic and Arabic. The Abbé Assemani only found three or four manuscripts worthy of the Vatican. These he purchased secretly from the Superior, without the knowledge of the monks, who, had they known, would have opposed the sale, although the manuscripts are quite valueless to themselves, and they make no use of them whatever.’

Assemani, although he mentions that Sicard² accompanied him in his expedition to the Thebaid, is altogether silent respecting his attending him to the desert of Macarius. Neither does his account of obtaining so few manuscripts there, and those with so much difficulty, quite coincide with that of Sicard, who says that

he took those which suited him. This silence certainly gives ground for suspicion that there was something in the transaction which Assemani did not wish to transpire, and of which the mention of Sicard's accompanying him might have led to the disclosure. His secret and indeed fraudulent dealing with the Superior, who had no right to dispose of any property without the consent of the community, would make but a sorry figure in his account of the manner in which various valuable accessions had been made to the collections of the Vatican.

In the month of August, in the year 1730, the *Sieur Granger* made a journey to the Natron Lakes. He tells us that he was well received by the monks, whom he describes as poor and ignorant. Those belonging to the convents of Macarius and St. Mary of the Syrians were deaf to all his entreaties to be allowed to see their libraries. He says that the buildings at that time were falling into decay, and the dust destroying the books and manuscripts, of which the monks made no use whatever. Their own patriarch had represented to them that the sum which the books would produce would be sufficient to enable them to restore their churches and rebuild their cells; but they declared that they would rather be buried in the ruins.

In 1778, C. S. Sonnini visited the valley.* He remained five days in the monastery of El-Baramous. He makes no mention of books or manuscripts, but complains bitterly of the avarice and extortion of the monks, who wished to exact from him five or six hundred sequins upon his leaving them. He is the only traveller who has spoken in harsh terms of these poor monks.

In May, 1792, W. G. Browne, an Englishman, was here. He says—

‘During my stay near the lakes I visited two of the Coptic convents—that called the Syrian, and that of St. George—where I could observe no traces of any European travellers but Baron Thums, whom the Empress of Russia had sent to negotiate a defection on the part of the Beye, but who having exhibited less prudence than courage in the promotion of the designs of his mistress, had been privately put to death at Cairo by order of the Beye, to avoid delivering him to the Porte, as had been requested of them. These convents contain each of them several Religious, who retain all the simplicity of the primitive ages. They drink water, and eat coarse bread and vegetables, very seldom touching meat, wine, or coffee. They are ignorant indeed, but strangers to vice; and although their time is employed to no useful purpose, so neither is their application of it prejudicial to any. They have each a small garden, which supplies common vegetables, and a breed of tame fowls, together with a well of water within the walls. The rest of the necessaries of life are provided them by the voluntary contributions of the Christians of their own persuasion; and as the business of artificers and

and menials is all performed by themselves, their expenses are not very extended. The entrance to each of these convents is by a small trap-door, against which two millstones are rolled within. The buildings appear to have lasted for several centuries, and the walls are still firm and substantial. No praise is to be given to the Religious for cleanliness; but as the list of their furniture and apparel is very small, they cannot be frequently renewed. Human beings, more ignorant of mankind and their transactions than some of those whom I conversed with, are scarcely anywhere to be found; but the Superiors in both were in a certain degree intelligent. One of them, when I was admitted, was mending his shoes, and seemed to think little of theological controversies. The other attempted to prove to me the tenet of Monothelism; and on my expressing myself persuaded by his arguments, he seemed highly gratified. Indeed I met with, on their part, every mark of hospitality. I inquired for manuscripts, and saw in one of the convents several books in the Coptic, Syriac, and Arabic languages. Among these were an Arabo-Coptic Lexicon, the works of St. Gregory, and the Old and New Testament in Arabic. The Superior told me they had nearly eight hundred volumes, but positively refused to part with any of them, nor could I see any more. The monks are strangers to all idioms but the vulgar Arabic.'

The next account of this place is that by General Andréossy in his '*Mémoire sur la Vallée des Lacs de Natron, et celle du Fleuve-sans-eau.*' At the time of his visit, in 1799, there were nine monks in the convent of El-Baramous, eighteen in that of the Syrians, twelve in the Amba-Bishoi, and twenty in the St. Macarius.

'Their only books,' he says, 'are ascetic works in manuscripts, on parchment or cotton-paper, some in Arabic, and some in Coptic, having an Arabic translation in the margin. We brought away some of this latter class, which appear to have a date of six centuries.'

In the year 1828, Lord Prudhoe, who thinks no labour too great when any real advantage to science or literature is probable, made an excursion to these monasteries. We have been favoured by his Lordship with the following brief account of his visit —

'In 1828 I began to make inquiries for Coptic works having Arabic translations, in order to assist Mr. Tattam in his Coptic and Arabic Dictionary. On a visit to the Coptic bishop at Cairo, I learnt that there was in existence a celebrated Selim or Lexicon in Coptic and Arabic, of which one copy was in Cairo, and another in one of the Coptic convents of the Natron Lakes, called Baramous, besides which libraries were said to be preserved both at the Baramous and the Syrian convents. In October, 1828, Mr. Linant sent his dromedaries to Terane, on the west bank of the Nile, where the natron manufactory was established by the pacha, and on the next day Mr. Linant and I embarked in a cangia on the Nile, and dropped down to Terane, where we landed.

Mounting our dromedaries, we rode to the Baramous convent, and encamped outside its walls. The monks in this convent, about twelve in number, appeared poor and ignorant. They looked on us with great jealousy, and denied having any books except those in the church, which they showed. We remained with them till night, and in some degree softened their disposition towards us by presents of some comforts and luxuries of which their situation in the desert deprived them. On the following morning we again visited the monks, and so far succeeded in making friends of them that in a moment of good humour they agreed to show us their library. From it I selected a certain number of manuscripts, which, with the Selim, we carried into the monks' room. A long deliberation ensued among these monks how far they were disposed to agree to my offers to purchase them. Only one could write, and at last it was agreed that he should copy the Selim, which copy, and the manuscripts which I had selected, were to be mine in exchange for a fixed sum in dollars, to which I added a present of rice, coffee, tobacco, and such other articles as I had to offer. Future visitors would escape the suspicions with which we were received, and might perhaps hear how warmly we had endeavoured to purchase and carry away the original Selim. Next we visited the Syrian convent, where similar suspicions were at first shown, and were overcome by similar civilities. Here I purchased a few manuscripts with Arabic translations. We then visited the two other convents, but found little of consequence. These manuscripts I presented to Mr. Tattam, and gave him an account of the small room with its trap-door, through which I descended, candle in hand, to examine the manuscripts, where books and parts of books, and scattered leaves, in Coptic, Ethiopic, Syriac, and Arabic, were lying in a mass, on which I stood. From this I handed to M^r. Linant such as appeared best suited to my purpose, as he stood in the small room above the trap-door. To appearance it seemed as if on some sudden emergency the whole library had been thrown for security down this trap-door, and that they had remained undisturbed in their dust and neglect for some centuries.'

About nine years after the visit of Lord Prudhoe, the Hon. Robert Curzon, jun., who has travelled much in the East to search for manuscripts (with considerable success), and in his travels has met with many curious and interesting adventures, which we could wish were made public, was also a visitor to these monks. We are indebted to him for the following account of his excursion :—

' I am sorry to say that I cannot answer your letter in as satisfactory a manner as I could wish, for I have no papers by me here to refer to, and I have forgotten some things about the monasteries on the Natron Lakes which might have been interesting to you. However, as far as I remember I will tell you. During the winter of 1837 I was in Egypt for the second time, and in the month of January or February I was engaged in a brisk chase after old books, particularly two which I had heard of at Nagadé—one a Coptic History of Egypt, which I had been told at Thebes was in the possession of the Bishop of Nagadé, who

was reputed to be a great dealer in magic—the other a Coptic and Arabic Dictionary, said to be the most perfect and the largest known. When I arrived at Nagadé the bishop was in church; but certain men brought me a mat, whereon I sat in the shade of an old wall till the people came out of church, which they presently did, with the bishop at their head. The bishop sat down by me on the mat, and the congregation sat down in a ring; and after a long prologue of compliments, and coffee and pipes, and so on, we entered on the subject of manuscripts. The bishop told me that the Dictionary was gone to the palace of the patriarch at Cairo; and we were talking about the History, when suddenly there arose a great noise in the church, of howling and clanking of chains. We were all silent in consternation—and I expected that the episcopal magician had been raising a spirit;—when the church doors burst open with a crash, and in the dark porch there stood a tall figure in a priest's robe, waving a great brazen censer in his hand. This apparition stalked forward slowly, when I saw he had a heavy chain tied to his legs. He came up, and sat down directly before me on the ground. "Who have you the honour to be?" said I. "Who, pray, are you?" said one of my men. Upon which he turned round and spat in the face of the man who had addressed him. This man, who was a negro, laid his hand upon his sword, when the other sprang upon his feet with a scream, and made a dash at the negro with the censer—a very efficient weapon when properly applied. He missed my man, and broke the censer on the stones. We all started up, and a general rush ensued against the bearer of the censer, who was with some difficulty secured and carried off. He was a son of the bishop; and, being a maniac, had been chained down before the altar of St. George—a sovereign remedy in these cases—only he pulled up the staples of his chain, and so came away with the censer before his cure was completed. But the end of the affair was that the bishop departed in the scuffle, and I heard no more of the History of Egypt. The other volume had been at Cairo, but was gone when I made inquiries respecting it to the monastery of Amba-Bishoi at the Natrou Lakes. I went after it, and arrived there in the month of March; but although there were many Coptic manuscripts of Liturgies there in a room in a square tower, it was not among them. I then went to another monastery: I think it was called Baramous. There was nothing there but a few Coptic manuscripts on paper, and a prodigious multitude of fleas. I retreated from their attack to the church, where I went to sleep on the marble floor; but I had hardly shut my eyes when I was again attacked by so many of these monsters that I was forced to be off again; so I got up, and watched the moon over the desert till daylight. I then departed for the monastery of the Syrians, where I arrived in a short time. Here was a congregation of black Abyssinian monks, dressed in wash-leather and tallow, who were howling in honour of some Abyssinian saint, in a strange little room at the end of a garden, which was surrounded by the high fortified wall of the monastery. They had a library of which I have shown you a sketch, where the manuscripts hung upon pegs by long straps, in a peculiar manner, different from the arrangement

ment of any other library I have ever seen. Besides these black brethren, there were ten or twelve Copts. The superior was blind and very old, with a long white venerable beard, but very dirty. When I inquired for books he showed me the library in a high tower, in a little strong room, with stone niches in the wall. There were some very remarkable Coptic manuscripts—the finest I have ever seen. The latest of them, as I imagine, is that great quarto which you saw at Parham. Two others on vellum were lying on the top of an open pot or jar, of which they had formed the lid. There had been jam or preserves of some sort in the pot, which the books had been used to protect; but they had been there so long that the jam had evaporated, leaving some dubious-looking lumps of dirt at the bottom. I was allowed to take all the manuscripts on vellum, as they were too old to read, and of no use as covers for the vases of preserves. Among a heap of dusty volumes on the floor I found the manuscript Dictionary of which I was in search, but this they would not sell; but they sold me two other imperfect ones, so I put it in one of the niches in the wall, where it remained about two years, when it was purchased and brought away for me by a gentleman at Cairo. You say that Lord Prudhoe fed the monks, and so found the way to their hearts. Now I have found, from much practice, that the two species of Eastern and Western monks may be divided logically into the drinking and the eating kind. A Benedictine or even a Capuchin is a famous hand at a capon, and an oyster pâté or so has great charms for him on a fast-day—*probatum est*; but the monks of St. Basil are ascetics—they know nothing of cookery beyond garlic and red pepper, and such like strong condiments—howbeit they have a leaning to strong drink, and consider *rosoglio* as a merchandise adapted to their peculiar wants.

‘The old blind abbot had solemnly declared that there were no more books in the monastery besides those I had seen; but I had been told by Mr. Linant, the pacha’s engineer, who had accompanied Lord Prudhoe, that there were some ancient manuscripts in the oil-cellar. Nevertheless the abbot denied the fact; but I got him into my room, with another father who always went about with him, and there I gave them some *rosoglio* which I had brought on purpose. It was very soft stuff I remember, pink, and tasted as sweet and pleasant as if there was no strength in it. They liked it much, and sat sipping fingians—that is, coffee-cups—of it with a happy and contented air. When I saw that the face of the blind man waxed unsuspicious, and wore a bland expression which he took no pains to conceal—for he could not see, and did not remember that those who could might read his countenance—I entered again upon the subject of the oil-cellar. “There is no oil there,” said the old man. “I am curious about the architecture,” said I: “I hear yours is a famous oil-cellar.” “It is a famous cellar,” said the other elder; “and I remember the days when it overflowed with oil. Then there were I do not know how many brethren here, but now we are few and poor; bad times are come over us; we are not what we used to be.” This monk having become sentimental, and the abbot unsuspicious, “Well, let us go,” said I, “and see this famous cellar,
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and we will have another bottle when we come back." This last argument prevailed. We went to the oil-cellar, which was under the great tower, and there were some prodigious pots which once held the oil of gladness, but which now sounded hollow and empty to the touch. There was nothing else here; but taking the candle from the hands of one of the brethren—for they had all followed us into this hole like sheep—I found a low door, and passed into a little vaulted room, which was full of loose leaves of Syriac manuscripts, more than knee-deep. These are the famous volumes now deposited in the British Museum. Here I fumbled about a long time, and after a good deal of digging I pulled out four books; and two monks, struggling together, pulled out the great manuscript Evangelistarium, which you have seen. It was tied up with a string. "Here is a box," shouted the two monks, who were nearly choked with the dust. "A box!" echoed the blind abbot. "Bring it out—make haste—where is the box? Heaven be praised, it is a treasure." "Yes," screamed all the monks, "a treasure. Allah Akbar!—a box—out with it—bring out the box." Out they all rushed with the treasure, and I issued forth into the dark (for they had run away with the candle in their anxiety about the box), with three octavos under one arm, and a quarto under the other. I found no more, except fragments. These I took to my room, and the abbot and the other brother soon came after me for the promised bottle of rosoglio, which they now much wanted to keep up their spirits, when they found the box of treasure to be only a great book. They mumbled and murmured to themselves between their cups; and when they were gradually getting comforted again, I began to say, "You found no box of treasure in the vault; but, behold, I am a lover of old books. Give them to me, and I will give you a certain number of piastres in exchange; and so you will have found a treasure, and I will go my way in gladness." "Ah!" said they, "how much will you give?" "How much do you want?" said I. And so we settled it over the rosoglio, which smoothed many difficulties. The Coptic manuscripts on vellum were ensconced in one side of a great pair of camel-bags. "Now," said I, "I will put these into the other side, and you shall take it out, and help to load the camels." All we could do we could not put all the books in; and the two monks would not let me have any extra parcel lest the other brethren should see it and smell a rat, and claim their share of the spoil—at least I suppose that was their reason. In this extremity I looked at each of the three octavos and the quarto, not knowing which to leave behind. At last, the quarto being imperfect, I left that, and great is my sorrow that I did so, for on looking at the manuscript again, I believe that very quarto is the famous book dated A.D. 411, now the great pride and treasure of the British Museum. However, I am glad that establishment is now possessed of it, and I hope it will be duly made use of. This is all I have to tell you of the manuscripts in the monasteries of the Natron lakes.

In the year 1838, the Rev. Henry Tattam, now archdeacon of Bedford, with the design already mentioned, set out upon his expedition into Egypt. He was accompanied by Miss Platt, a
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daughter of Mrs. Tattam, a young lady of great talents and acquirements, who took notes of everything which passed during their journey, for the amusement of her mother after their return. This interesting Journal has since been printed, but, as she writes in her preface, very reluctantly, at the particular request of several friends, and solely for private circulation. They arrived at Cairo on the 19th of October: having staid here for about three weeks, busily employed in visiting the patriarch and other ecclesiastics, and making inquiry after manuscripts, they set out on the 13th of November, and proceeded up the Nile as far as Esneh, visiting many churches and monasteries, both in going and returning, and inspecting their libraries, which the patriarch's letters rendered accessible. But in most of these Mr. Tattam found little more than liturgies and service-books. At Sanabou there were some very fine Coptic manuscripts, in number amounting to eighty-two. They returned to Cairo on Christmas-day.

On the 12th of January they started across the desert for the valley of the Natron Lakes; and, at eight o'clock in the evening, pitched their tent at a short distance from the monastery of Macarius. Such passages as relate to our purpose we are glad to be allowed to quote from Miss Platt's Journal.

'Sunday, Jan. 13th.—The first object on which our eyes rested,⁴ as we sat at breakfast in the tent, was the solitary convent of Abou Magar (St. Macarius), a desolate-looking building, like a fortress surrounded by the sea. It is enclosed by a high plastered wall, containing a space of about 300 by 200 feet. Within this area are built the church, the convent itself, a strong tower, and a small chapel, which, according to the account given by the monks, dates its origin as far back as the fifth century. There is not a window or an aperture to be seen on the outside, with the exception of a low door-way, which is almost overlooked as the eye wanders over the high blank wall. A considerable descent, scooped out from the drifted sands, leads to the threshold of the heavy iron-door. It was not thought advisable to remain here until we had visited the further convents. Mr. Tattam spoke to some of the priests at the gate, and two of them accompanied us to the middle convents, which are about two hours' ride from the first. In passing at the back of the garden-wall we perceived the remains of buildings still connected with the present monastery, which led us to suppose that it had once been much more extensive.

'As we crossed the ridge of hills separating the two valleys we observed the remains of many convents. The monks state that there were formerly three hundred and sixty on the mountain and in the valley of Nitria, and that the ruins of fifty of them may still be seen. We descended gradually between the rocks, and saw before us the two middle convents, Deir Amba Bischoi and St. Soriani, or the Syrian convent. They were of the same description as St. Abou Magar, but larger and in better preservation, particularly the latter. Our tent was pitched beneath

beneath the walls of St. Soriani: Mr. Tattam immediately entered the convent, where pipes and coffee were brought him; after which the priests conducted him to their churches, and showed him the books used in them. They then desired to know his object in visiting them; upon which he cautiously opened his commission by saying that he wished to see their books. They replied that they had no more than what he had seen in the church; upon which he told them plainly that he knew they had. They laughed on being detected, and after a short conference said that he should see them. The bell soon rang for prayers.'

'Jan. 14th.—Mr. Tattam went into the convent immediately after breakfast. The priests conducted him to the tower, and then into a dark vault, where he found a great quantity of very old and valuable Syriac manuscripts. He selected six quarto volumes and took them to the superior's room. He was next shown a room in the tower, where he found a number of Coptic and Arabic manuscripts, principally liturgies, with a beautiful copy of the Gospels.* He then asked to see the rest; the priests looked surprised to find he knew of others, and seemed at first disposed to deny that they had any more, but at length produced the key of the apartment where the other books were kept, and admitted him. After looking them over he went to the superior's room, where all the priests were assembled, about fifteen or sixteen in number: one of them brought a Coptic and Arabic selim, or lexicon, which Mr. Tattam wished to purchase, but they informed him that they could not part with it, as it was forbidden to be taken away by an interdiction at the end, but they consented to make him a copy.* He paid for two of the Syriac manuscripts he had placed in the superior's room, for the priests could not be persuaded to part with more, and left them, well pleased with his ponderous volumes, which he gave me through the top of the tent, and then rode off with Mohamed to the farthest convent, of Baramous, about an hour and a half's ride from St. Soriani. In the convent of El Baramous Mr. Tattam found about one hundred and fifty Coptic and Arabic liturgies and a very large dictionary in both languages. In the tower is an apartment with a trap-door in the floor, opening into a dark hole full of loose leaves of Arabic and Coptic manuscripts. The superior would have sold the dictionary, but was afraid, because the patriarch had written in it a curse upon any one who should take it away.'

Into the monastery of Amba-Bischoi, after some reluctance on the part of the monks to open their door to a lady, Miss Platt was herself admitted:—

'On the ground-floor was a vaulted apartment, very lofty, with arches at each end, perfectly dark, and so strewn with loose leaves of old liturgies that scarcely a portion of the floor was visible; and here we were all fully occupied in making diligent search, each with a lighted taper, and a stick to turn up old fragments. In some parts the manuscripts lay a quarter of a yard deep, and the amazing quantity of dust was almost choking, accompanied by a damp and fetid smell, nearly as bad as in the Tombs of the Kings. We did not find anything really valuable here, or anything on vellum, excepting one page.'—vol. i. p. 279.

On Tuesday the 15th, Mr. Tattam set out to return to Cairo, having previously obtained from the monks of the Syrian convent four other valuable Syriac manuscripts. He called at the monastery of Macarius as he passed: here he found about one hundred liturgies, and a beautiful copy of the Epistles in Coptic, which the monks refused to sell. There were also a great number of fragments and loose leaves, from which he selected about a hundred, which he was permitted to take away.

In the month of February Mr. Tattam returned to these convents, and was more successful than upon the former occasion.

'Saturday, Feb. 9th.—Immediately after breakfast Mr. Tattam went with Mohamed to St. Soriani, leaving me to my own amusements in the tent. . . . Mr. Tattam soon returned, followed by Mohamed, and one of the Bedouins bearing a large sack-full of splendid Syriac manuscripts on vellum. They were safely deposited in the tent, and a priest was sent for from St. Amba-Bischoi, with whom Mr. Tattam entered the convent, and successfully bargained for an old Pentateuch in Coptic and Arabic, and a beautiful copy of the four Gospels in Coptic. We are delighted with our success, and hope, by patience and good management, to get the remainder of the manuscripts.'

'Feb. 10th.—Mr. Tattam went in the evening to St. Soriani to take his leave of the monks there, who said he might have four more manuscripts the next day. . . . Mohamed brought from the priests of St. Soriani a stupendous volume beautifully written in the Syriac character, with a very old worm-eaten copy of the Pentateuch, from St. Amba-Bischoi, exceedingly valuable, but not quite perfect at the beginning.'

This Mohamed, who seems to have been little less eager than his master in his endeavours to procure the manuscripts, had recourse to the same means of negotiation as Mr. Curzon found it wise to adopt, and applied them with similar success, only substituting arakie for rosoglio.

The manuscripts which Mr. Tattam had thus obtained in due time arrived in England. Such of them as were in the Syriac language, not falling in with the object for which his journey had been originally undertaken, were, by and bye, disposed of to the Trustees of the British Museum. This was indeed a most important accession. Forty-nine manuscripts of such extreme antiquity, containing some valuable works long since supposed to have perished, and versions of others written several centuries earlier than any copies of the originals known to exist, constituted such an addition as has been rarely if ever made at one time to any library. The collection of Syriac manuscripts procured by Mr. Rich had already made the library of the British Museum conspicuous for this class of literature—but this treasure of manuscripts from Egypt rendered it superior to any other in Europe.

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From the accounts which Lord Prudhoe, Mr. Curzon, and Mr. Tattam had given of their visit to the monastery of the Syrians it was evident that but few of the manuscripts belonging to this convent had been removed since the time of Assemani, and probable that no less a number than nearly two hundred volumes must be still remaining in the hands of the monks. Moreover, from several notices found written in the manuscripts already brought to England, it was evident that most of them must be of very considerable antiquity. Several of these notices were in the handwriting of Moses of Tecrit, abbot of the monastery; and in each of them he states that in the year 932 he brought into the convent, from Mesopotamia, about two hundred and fifty volumes. As there was no evidence whatever to show that even so many as one hundred of these manuscripts had ever been taken away (for those which were procured for the papal library by the two Assemani, added to those which Mr. Curzon and Mr. Tattam had brought to England, do not amount to that number), there was sufficient ground for supposing that the convent of the Syrians still possessed not fewer than about one hundred and fifty volumes, which at the latest must have been written before the tenth century. Application accordingly was made by the Trustees to the Treasury; a sum was granted to enable them to send again into Egypt, and Mr. Tattam readily undertook the commission. The time was most opportune. The good-will of the patriarch had been gained by the liberality of the Society for Promoting Christian Knowledge, who had undertaken to print, for the use of his churches, an edition of the New Testament in Coptic and Arabic, in a beautiful large type cut expressly for this purpose. Mr. Tattam, the editor of this work, was naturally in great favour with the patriarch, who by and bye gave consent to his proposals. We cannot but rejoice that these measures were taken so promptly, as we have been informed, upon the best authority, that similar representations had been made to the French government; and had much more delay been interposed, these manuscripts, which perhaps constitute the greatest accession of valuable literature which has been brought from the East into Europe since the taking of Constantinople, would in all probability have been now the pride of the Bibliothèque Royale.

The following is Mr. Tattam's own account of the manner in which he obtained the remainder of the manuscripts upon his second excursion:—

‘When I returned to Cairo the second time, all the Europeans who seemed to understand my business prophesied that I should not succeed, but the result proved they were false prophets. I found I could
work

work more effectually through the sheich of a village on the borders of the desert, who had influence with the superior of the convent, and whom my servant had secured in my interest, and through my servant, rather than by attempting direct negotiation. I therefore set to work. After I had been in Cairo about a fortnight, the sheich brought the superior to my house, where he promised to let me have all the Syriac manuscripts. My servant was to go back with him and the sheich when he returned, and to bring away all the manuscripts to the sheich's house, where they were to be deposited, and I was to follow in three days and bargain for them. I went at the time appointed, and took money with me in the boat, and a Mohamedan as a silent witness to the transaction and the payment of the money, should any crooked ways be discovered. My servant had taken ten men and eight donkeys from the village, and had conveyed the manuscripts to the sheich's house, where I saw them as soon as I arrived; and I found he had already bargained for them, which I confirmed. That night we carried our boxes, paper, and string, and packed them all, and nailed up the boxes, and had them in the boat before morning dawned, and before ten o'clock in the morning they were on their way to Alexandria.

The manuscripts arrived in the British Museum on the 1st of March, 1843. Upon opening the cases very few only of the volumes were found to be in a perfect state. From some the beginning was torn away, from some the epd, from others both the beginning and end; some had fallen to pieces into loose quires, many were completely broken up into separate leaves, and all these blended together. Nearly two hundred volumes of manuscripts, torn into separate leaves, and mixed up together by time and chance more completely than the greatest ingenuity could have effected, presented a spectacle of confusion which at first seemed almost to preclude hope. To select from this mass such loose fragments as belonged to those manuscripts which were imperfect, and to separate the rest, and collect them into volumes, was the labour of months. To arrange all those leaves now collected into volumes, in their proper consecutive order, will be the labour of years. Without the aid either of pagination or catch-words, it will be requisite to read almost every leaf, and not only to read it, but to study accurately the context, so as to seize the full sense of the author. Where there are two copies of the same book, or where it is the translation of some Greek work still existing, this labour will be in some measure diminished; but in other instances nothing less than the most careful perusal of every leaf will render it possible to arrange the work, and make it complete.

The number of volumes, as now collected, including both entire works and books made up of various fragments, amounts to three hundred and seventeen, of which two hundred and forty-six are
on

on vellum, and seventy on paper, all in Syriac or Aramaic, with one volume of Coptic fragments. These, together with the forty-nine previously obtained, make an addition to the national library of three hundred and sixty-six volumes of manuscripts. As many of these contain two, or even three or four, distinct works, written at different periods, but bound up together, and as several are made up of various fragments, it is perhaps not too much to affirm that there are contained in this collection parts of at least one thousand manuscripts, written in different countries—in Mesopotamia, Syria, and Egypt—and at various times—from the beginning of the fifth to the end of the thirteenth century. The earliest is dated A.D. 411, the latest A.D. 1292. It would be very interesting, if the means were within our reach, to trace the history of this most remarkable collection, perhaps the largest that was ever possessed by any single monastery, especially when we consider the time and labour requisite to produce even one copy, which could not have been less to the Oriental scribes than in the convents of the West. A note at the end of one copy of the works of Dionysius the Areopagite, which seems to have been written in the eighth century, states that the transcriber completed his task in the course of one year, which is doubtless intended to be a record of more than ordinary diligence. We have no means, as we have said, of tracing the history of this collection, as indeed we have none either for that of the monastery itself. It was most probably founded in the earliest ages of asceticism, and ransacked by the Arabs, with the rest of the convents, at the beginning of the ninth century. We have already stated that it was again in a flourishing condition at the commencement of the tenth century, and that Moses, its then abbot, brought to its library from Mesopotamia two hundred and fifty volumes, of which fact we are assured by the registry which he made in many, if not in all, of these books. Several bearing this notice are now in the British Museum; several also are in the Vatican, as appears from the account given by J. S. Assemani—some belonging to the collection which he himself made, and others to that obtained by his cousin Elias; and one which was formerly the property of Abraham Ecchellensis, from which it appears that some manuscripts had been brought from this monastery into Europe previously to the expedition of Elias Assemani, but by whom or when we have not been able to discover. Moreover, from various notices on the fly-leaves of several of these volumes, we gather that they once belonged to the convent of Amba-Bishoi, and were afterwards transferred to that of St. Mary Deipara of the Syrians by a person named Abraham, and incorporated into their library. Other similar notices record the
benefaction

benefaction of several volumes by various individuals, many of whom appear to have been inhabitants of Tecrit in Mesopotamia; where indeed, and at Edessa, and in the monasteries in the neighbourhood, most of them appear to have been written. Many of these presents seem to have been single manuscripts offered for the salvation of the soul of the donor; but one notice states that no less than eighteen volumes, the property of one individual, came into the possession of the convent upon the death of the owner. There are also records of the purchase of several books for the use of the monastery, and some doubtless were transcribed within its walls. It is only from such incidental notices as these, written at the beginning and end of some of the volumes, that we have any means of forming an estimate of the manner in which the collection was increased to so great a number. There is a note in one of the volumes stating that the manuscripts belonging to the library were repaired in the year of the Greeks 1533 (A.D. 1222). At no very distant period subsequently to this they were probably altogether neglected, the monks becoming too ignorant to make any further use of them. The volume with the most recent date in the collection was written seventy years later, and after this time there seems to have been no effort in these monasteries either at composition or translation into Syriac, or even to reproduce any of their ancient literature by new transcripts. Indeed the examination of this collection brings conviction, that for two or three centuries at least previous to this time little had been done in the way of transcribing further than to copy liturgies, lives of saints, a few homilies, and such parts of the Holy Scriptures as were needed by the monks in the daily services. These, of course, required to be periodically renewed, as by constant use they necessarily became torn and worn out. This circumstance has been the cause of the destruction of some of the finest and most ancient manuscripts which the monks ever possessed. Almost all the manuscripts of this class are palimpsest. When their service-books were worn out, the monks, unable perhaps to obtain vellum elsewhere, had recourse to the expedient of erasing the text of an old volume. In selecting manuscripts for this purpose they seem to have been guided chiefly by the fineness of the vellum, and consequently attacked those which were the most ancient, and in every respect the most valuable. The Greek manuscripts seem to have suffered first, probably because they were unintelligible to the monks; for although there are several Greek palimpsests, as well as Syriac, among the manuscripts now in the British Museum, there is not found in the whole collection one single Greek book, but only a few very small fragments in some of the volumes, which have been pasted on

on to mend the leaves that were torn; but even these are sufficient to show that the Greek manuscripts which they did possess were of the finest class and of the greatest antiquity, closely resembling the famous Alexandrine Bible in substance and calligraphy. It is evident that the monks must have employed some chemical process of erasure, and this in most instances has been so successful as to leave scarcely any perceptible trace of the original writing, but at the same time it has been very injurious to the texture of the vellum: these manuscripts are consequently in the worst condition of any in the collection. Some, indeed, of the others look as fresh as if they had scarcely been used at all—even the original dressing of the vellum still remains; although they have been written more than a thousand years, they seem as if the transcriber had finished his task but yesterday.

The contents of these manuscripts are, as we should naturally expect, chiefly theological, and in this department they are most important. The copies of the Holy Scriptures are some of the oldest in existence, and the translations of the works of the great Fathers of the Church are most valuable, not only because many of them, in all probability, were made during the lifetime of the authors (we have the means of proving certainly that some of them were), but also because the manuscripts in which these Syriac versions are found are the oldest copies of these works now extant, and were written some centuries earlier than any of those in which the original Greek exists. Moreover, this collection contains several really important works, of which the Greek copies have been long since lost, and are now only known to us either by their titles which have come down to us, or by very short extracts preserved by other writers. Besides these there are many original works of Syriac authors.

Of biblical manuscripts of the Peshito version there are nearly thirty volumes, containing various books of the Old Testament, most of which were written about the sixth century; one copy of the Pentateuch dated A.D. 464. We find also the book of Exodus, written A.D. 697—the books of Numbers, Joshua, and the first book of Kings, transcribed about the same time—of the Hexaplar edition, with the asterisks, obelisks, &c., as corrected by Eusebius; together with part of Genesis, and of two copies of the Psalms, of this same edition, with short scholia by Athanasius and Hesychius of Jerusalem. Here are the first book of Samuel and the first book of Kings, in the version of Mar Jacob of Edessa, written A.D. 703; and a copy of Isaiah, written about the same time, probably translated by the same Mar Jacob. There are upwards of forty manuscripts containing parts of the Peshito version of the New Testament, many of which are of the sixth century, and

and some appear to be of the fifth: and also a copy of the Gospels and of the Epistles of St. James, St. Peter, St. John, and St. Jude, of the Philoxenan version, or, more properly speaking, of the edition corrected by Thomas of Heraclea.

Of the Apocrypha, these manuscripts contain the Book of Wisdom, Baruch, and Maccabees; also the Book of Women, which comprises Esther, Judith, Susannah, Ruth, and the Life of the martyr Thecla. There are also copies of the Gospel of the Infancy; the History of the Holy Virgin, and her Departure from this world: the Doctrine of Peter which he taught at Rome; and a Letter of Pilate to Herod, and of Herod to Pilate.

To the copies of the Scriptures should be added several Lectionaries, containing portions of Scripture appointed to be read in the churches. This class of manuscripts, for the reason which we have above stated, is more recent than the copies of the Scriptures: some of them are dated in the ninth century, but most in the eleventh. There is a large collection of rituals and service-books, with many ancient liturgies; and these also are of the later class of manuscripts: here are found the liturgies of the Apostles, of St. James, St. John, St. Matthew, St. Clement, St. Ignatius, Dionysius the Areopagite; of Celestinus, Julius, Xystus or Sixtus, bishops of Rome; of Basil, of Gregory Theologus; of Cyril, and Dioscorus, bishops of Alexandria; of Eustathius, of Philiacus, and Severus, bishops of Antioch, of Philoxenus, bishop of Mabug; of Jacob of Edessa, and Jacob, bishop of Serug; of Maruthas, Thomas of Heraclea, Moses Bar Cepha, John Bar Salibi, and others. Several collections of canons of councils,—the Collection of Apostolic canons made by Hippolytus; the Canons of the councils of Nice, Ancyra, Neocæsarea, Gangra, Laodicea, Constantinople, Ephesus, Chalcedon; the Acts of the second council of Ephesus, held under Dioscorus, patriarch of Alexandria in the time of Theodosius and Valentinian, transcribed A.D. 535. These collections of canons appear to be very important, as they do not seem to have been always translated from the Greek, but to have been arranged and digested by some of the Syrian bishops who attended the councils. To these may be added the canons of several individual patriarchs and bishops for the especial government of their own churches, which may be of great value in tracing the ecclesiastical history of the East.

Of documents which are referred to apostolic times there is found in this collection a small tract bearing the title of the Doctrine of the Apostles. This has been published by the Cardinal Mai, in the tenth volume of his *‘Scriptorum Veterum Nova Collectio;’* but he assigns it to the thirteenth century. What pretensions it has to refer its origin to apostolic times, as its title indicates,

cates, we cannot discuss in this place; but we must observe that the Cardinal cannot have erred less than six centuries in the date which he fixes on; for there are two copies of this tract among these Syriac manuscripts, both of which were undoubtedly transcribed in the sixth century of the Christian era.* Of the Apostolic Fathers there are found in this collection two copies of the Recognitions ascribed to St. Clement, one in the very ancient manuscript which we have spoken of before, and the other in a copy which seems to be of the sixth century; and three epistles of St. Ignatius, to St. Polycarp, to the Ephesians, and the Romans. To these we should add several copies of the works ascribed to Dionysius the Areopagite. Of other ecclesiastical writers of the second and third centuries—besides various fragments from their works cited by other authors, we recover in this Syriac collection an oration of Melito, bishop of Sardis, to the emperor Marcus Antoninus; which, however, does not agree with that cited by Eusebius in his Ecclesiastical History (Book iv. chap. 26):—the entire Dialogue on Fate by Bardesanes, of which a fragment had been preserved by Eusebius in the 10th chapter of the 6th book of his 'Præparatio Evangelica;' and two or three treatises of Gregory Thaumaturgus, which appear to have been hitherto unknown.

Of ecclesiastical writers of the fourth century,—Titus, bishop of Bostra, against the Manicheans. The original Greek is imperfect, and the last book lost; the Syriac version is complete, and was transcribed A. D. 411. In the same manuscript are contained, as we have seen above, two works of Eusebius, on the Divine Manifestation of our Lord, and on the Martyrs of Palestine. We find here also the five first books of his Ecclesiastical History, transcribed early in the sixth century. Of Athanasius, —his Commentary on the Psalms, Life of St. Anthony, and his Festal Letters, but not complete: of these letters Athanasius

* There is another error less excusable committed by the learned Cardinal, which, as it relates to a matter of considerable interest, the testimony to the antiquity of the British Church received in the East, certainly not later than about the year 500, and probably much earlier (for this is the period of the transcript of the manuscript), we must take this opportunity of correcting. At the end of this work, professing to be 'the Doctrine of the Apostles,' there is an account of the different channels through which the sacerdotal office was transmitted to the various parts of the then Christian world. The passage to which we allude runs thus:—'Rome, the whole of Italy, Spain, Britain, Gaul, and the other countries round about, received the hand of priesthood from Simon Cepha, who came from Antioch, and was ruler and governor of the church which he built there.' This we have translated from the Syriac, as it is correctly printed at page 174. But the Latin version runs thus.—'Accepit manum sacerdotalem Roma civitas, et tota Italia, ac Hispania, *Bythma*, et Gallia,' &c.—p. 7.

wrote upwards of forty—that is one for every year of his patriarchate—it having been a practice with patriarchs of Alexandria to send a cyclical letter at Christmas to all the bishops of their province to inform them on what day Easter was to be observed. These have all perished in the original Greek, except a fragment of the 39th, preserved by Theodorus Balsamon. Of Basil—the Treatise on the Holy Spirit, transcribed A.D. 509, not 130 years after his death; his *Regulæ fusius Tractatæ*, *Tréatise* on Virginity, and various sermons. Of Gregory of Nyssa,—Homilies on the Lord's Prayer, on the Beatitudes, and other sermons, some written in the sixth century. Of Gregory Theologus,—his works translated into Syriac by Paul, an abbot in the island of Cyprus, A.D. 624, with commentaries by Severus, bishop of Nisibis; one copy transcribed A.D. 790, another A.D. 840, and others which appear more ancient. Of Ephraem Syrus,—many sermons, metrical discourses, and hymns; among which are several things not comprised in Assemani's edition of his works—for example, his tract against Julian, supposed to have been lost: one of these manuscripts is dated A.D. 519, or about 150 years after the death of the author; others appear to be still more ancient.

Of Fathers at the end of the fourth century and the commencement of the fifth,—nearly all the works of John Chrysostom, in manuscripts of great antiquity; one copy of the Homilies on St. Matthew is dated A.D. 557, about 150 years after his death; another copy, without date, of the same Homilies appears to be about a hundred years earlier. Several treatises of Proclus, his successor on the patriarchal throne of Constantinople. The '*Historia Lausiaca*' of Palladius; also the account of the Egyptian monks by Evagrius Ponticus, with other of his works; a short treatise on heresies by Epiphanius, written A.D. 562, less than 160 years after his decease, together with extracts from his other works. Almost all the works of Cyril of Alexandria, of very great antiquity; among which we would specify the treatise on Adoration in Spirit and Truth, transcribed A.D. 553, about 110 years after his death; his commentary on St. Luke, in two volumes, of which the original Greek is lost, excepting a very few passages preserved in the catena on St. Luke. Some of Cyril's works were translated into Aramaic during his life-time, by Rabulas, who was then bishop of Edessa.

In the beginning of the sixth century, a work of Timotheus, patriarch of Alexandria, against the Council of Chalcedon, transcribed A.D. 562—25 years after his death; various letters of his successors, Theodosius and Theodorus; numerous writings of Severus (Patriarch of Antioch), among which we would specify
a volume

a volume of sermons, transcribed A.D. 569, or only about thirty years after his death: many of his works were translated into Syriac during his life-time, in the year 528, at Edessa, by Paul, bishop of Callinicum. Of these writers of the sixth century nothing more is preserved to us in the Greek than the titles of their works, and not even the whole of these. This arises probably from their having been diligently suppressed by the emperor and the opposite party, by whom they had been condemned: they are, however, most important for throwing light upon the history of the first half of the sixth century, more especially on several important events consequent upon the Council of Chalcedon, concerning which we have little more at present than the statement of one party.

For ecclesiastical history we have in this collection—besides the five first books of Eusebius' *Ecclesiastical History*, and his *Martyrs of Palestine*—a contemporary *Ecclesiastical History*, by John, bishop of Ephesus, from the year A.D. 571 to 583 (this manuscript must have been transcribed about the same time as the last event it records); two imperfect *Ecclesiastical Chronicles*; a considerable collection of *Martyrologies*, *Lives of Saints*, *Fathers*, and *eminent Bishops*; which may supply much matter hitherto unknown. In general theology there are several anonymous treatises on Christianity, and works against various heresies, together with some volumes of miscellaneous sermons.

Of Ascetic writers,—numerous treatises of Ammonius, Macarius, Evagrius, Esaias, &c. &c.

Of original Syriac authors, besides Ephraem, above spoken of, there are found among these manuscripts,—works of Mar Isaac, presbyter of Antioch; numerous writings of Mar Jacob, bishop of Serug, or Batnæ—among which one volume of sermons is said to have been purchased A.D. 653, little more than 130 years subsequently to his death, and probably was written much earlier; various works of Philoxenus, bishop of Mabug, one volume of which is dated A.D. 569, or less than fifty years after his death; the treatise of Peter, bishop of Antioch, against Damian; several works of Mar Jacob, bishop of Edessa, and amongst these his valuable recension of the books of the Old and the New Testament; according to the Peshito version and that of Thomas of Heraclea. We might have added many other Syriac authors.

To the above short list of writers purely theological, we should not omit to subjoin the categories of Aristotle, translated into Syriac by Sergius of Rhessinæ, in the sixth century; commen-

taries on Aristotle by Probus and Severus bishop of Kenneserin; and a Syriac translation of Galen de Simplicibus. These manuscripts are of great antiquity, and touch upon the times at which the translations were made.

In closing a very brief notice of this collection, we cannot refrain from congratulating the learned of Europe generally that these manuscripts have been rescued from perishing in a vault in the desert of Africa; and we shall perhaps be forgiven for indulging in a little national pride when we rejoice that they are deposited in the British Museum. We are, however, constrained at the same time to confess that this our joy is much sobered down by the apprehension that these valuable works, although now safe from the danger of destruction, will still lie upon our shelves in almost as great neglect as they did in the oil-cellar of the monastery. There are but few Oriental scholars in England; and among those few the Syriac has found hardly any attention. The number of persons at present competent to make any use of this matchless collection is very limited, and even of those who may be competent, one is too far removed to be able to avail himself of it, a second too much pressed by other duties. Neither can we foresee any prospect of young scholars rising up to whom we may look forward as future explorers of this extensive mine. The mercantile spirit pervades even our literary pursuits, and that is most studied which seems most likely to turn out to some material advantage, not that which most tends to intellectual profit. We have some Hebrew scholars: there are Hebrew professorships in both the universities; that in Oxford is well endowed. We have a few indifferent Arabic students; there are also chairs for Arabic, indifferently endowed, in both universities. The foundation of the Sanscrit Chair and scholarships in Oxford has already engaged several in the study of that language; and the additional facilities afforded to obtain the means of wealth and distinction in India, by the knowledge of the Persian, have produced several eminent Persian scholars. But the Syriac, a language which by every association would seem to call for our sympathies more than any other, hardly excepting the Hebrew itself, has hitherto been in this country almost entirely neglected. There are no lectures read in this language in the university of London. There is no professorship of Syriac in Oxford or Cambridge; and while no less than three new theological chairs have been lately established in Oxford, the Syriac language, which would afford more light than any other for the critical explanation of the text of the New Testament—perhaps of the Old Testament also—which contains much patristical theology and vast materials for ecclesiastical history that
cannot

cannot be elsewhere obtained, has been left without a professor, and consequently, perhaps, without a student. The Syriac Theophania of Eusebius and the Epistles of Ignatius are the only works in that language, with the exception of the whole or parts of the Scripture, which, so far as our knowledge goes, have been published in this country. The glory of such Syriac literature as was brought to England by Huntington was taken from us by foreigners, who transcribed and published the valuable history of Gregory Bar Hebræus from the manuscripts in the Bodleian.

These are melancholy recollections ; and our anticipations are shaded with their tints. But still we are pleased and proud that the Government and the Museum have done their duty as respected the *Treasure of the Desert*.

ART. III.—*Days and Nights of Salmon-Fishing in the Tweed, with a short Account of the Natural History and Habits of the Salmon, Instructions to Sportsmen, Anecdotes, &c.* By William Scrope, Esq., F.L.S., Author of 'The Art of Deer-Stalking.' London, royal 8vo. (with numerous engravings). 1843.

WE have heard it predicted that the taste for Scotch sport, which has become a passion in England, would, like other passions, be of short endurance. We do not think so. Until the madness of our neighbours, or our own, provide the youth of England with the excitement of real war, that mimic warfare seems likely to keep their nerves strung and their hands fit for action.

It is not only that Clubland is left desolate as the 12th of August approaches ; that Parliament is prorogued or deserted ; that northern steamers and railways for weeks are crowded with sportsmen and their apparatus of sport ; that during autumn more glimpses of the fashionable world are to be seen in the streets of Inverness than in St. James's Street : there are certain other indications not to be mistaken. Several accidents have of late thrown a number of Highland estates into the market, and these have been for the most part acquired by Englishmen of fortune, men who have grown to love the scene of their youthful sport only less than the green fields of their Southern homes. The new proprietors have established their summer 'shealings' in some of the remotest fastnesses of the hills, willing to see their sons grow up in the same hardy habits of Highland life which they

they themselves have acquired; and having no fear lest their daughters should lose in delicacy and grace by setting their feet on the heather and breathing the sweet mountain air.

These are not symptoms of an ephemeral passion. But we trust still more to the actual fascination of the Scotch sports, and their adaptation to the national character of Englishmen. It is true, the taste for picturesque scenery—one of the causes of the tide setting northward—is of comparatively recent date. We doubt if the ancients—at least the old Romans—could appreciate any beauty of scenery beyond the clear fountain with its margin of turf, shaded from the mid-day heat by the umbrageous plane. Virgil indeed, when scorched by the Neapolitan sun, loved to fancy himself in the cool glens of Hœmus and under the shade of mightiest boughs. Horace decidedly preferred the ‘burn-side,’ if it was not the dell of a still smaller rivulet, which he has sung in lines of untranslateable beauty:—

Quâ pinus ingens albaque populus
Umbram hospitalem consociare amant
Ramis, et obliquo laborat
Lympha fugax trepidare rivo;—

but he looked to Soracte only as a weather-glass. No Roman poet viewed the Apennines as more than a scene of rocky horrors, or thought of the Alps but as a region of ever-during snow. It is not quite a century and a half since a cultivated and refined English clergyman appealed to the sympathy of his friends for being condemned to a living death—a benefice among the dreadful wilds of Derbyshire! Some people, some whole nations seem incapable of the taste. We doubt if the Frenchman—the Frenchman proper—has ever really experienced the awful pleasure of mountain solitude.

But whatever theory may be made, of the taste for the picturesque requiring education, it required no schooling to make the Englishman enjoy the wild free sport of the Scotch mountains, when it was opened to him. His previous habits had fitted him for its toil; his previous sport had given him some foretaste of its excitement. Every English boy bred in the country is a hunter. He who as a boy was one of the Eton ‘eleven,’ and pulled an oar in the Christ Church eight-oar, had ensured a firm foot and good ‘wind.’ He needed but a little practice to make him enter into all the energetic scenes of Highland sport with the vigorous joy of a young native. For him too, by and bye, there was just enough of hardship and danger to give some feeling of adventure, and fatigue enough to make rest delightful. It was the perfection of physical existence. The young knight setting out in quest of adventures,

adventures, never felt more confident in his prowess than the deer-stalker with his rifle on his arm as he climbs the breezy heights of Ben-y-gloe, and prepares for a day of exertion, sustained by the intense interest of the noble sport. And who shall say such pursuits are without their effect on the mind? If, as we love to think, the gentleman of England stands well nigh first in the scale, he owes much of his superiority to that education of the body which men of rank in other countries rarely enjoy. He becomes hardy in person, and his mind acquires manliness with it. He trusts to his own eye and his good hand, and his spirit acquires the same independence. He communes with nature, and learns to live alone, and he is not the worse member of society for being able to do so.

Holding this opinion of the importance of the prevailing taste, let it not be thought unworthy of our gravity to devote a few pages to illustrate it.

Many of the southern counties of Scotland have a great extent of moor and hill, well peopled with game. In Dumfriesshire and Galloway, Ayrshire, Lanarkshire, as well as in the ancient Royal forest—'The Forest' par excellence of Scotland, now Selkirkshire—once full of red-deer, as now teeming with white-faced sheep—and on the high grounds of the other border counties, the red grouse is tolerably abundant, and the black-game in much greater number than in the wilder ranges of the northern Highlands; so that a good gun in the beginning of the season may bring to the bag twenty or thirty brace of black-game in a fair day, including hens, which are not there held sacred. But over that southern division of Scotland the game gets early wild and unapproachable; there is no deer nor ptarmigan; and there is not on the whole such certainty of continued sport, as to induce many devotees to hire the right of shooting there. Passing over for the present the fine salmon-fishing of Tweed, we may say that the real sporting-ground of Scotland lies beyond the two Friths and the wall of Antoninus; and, with the exception of the agricultural shire of Fife, there are none of the counties beyond that line in which the game and right of shooting are not now objects of considerable pecuniary value.

We have had access to some details that have been lately collected regarding the tracts let as shootings in several of those counties, from which we propose to condense for the benefit of our readers a little of the statistics of Scotch sport. Without pretending to minute accuracy, we believe our information may be generally relied on; and we trust it may not be imputed to undue egotism if we dwell at times upon matters not purely statistical,

tical, in passing through scenes always dear to us, and to which distance now lends all its enchantment.

Of Stirlingshire and Dumbarton we have the scantiest information. In the former county, grouse-shooting extending over 5000 acres is let for 40*l.*, and another range containing 3400 acres for 30*l.* a year; while a fine range, including the whole of Ben Lomond, the territory of the Duke of Montrose, is for the most part in his Grace's own occupation. As for Dumbarton, we believe the lord of the Lennox does not let his shootings; at least we have learnt nothing of rented shootings in that county. The shooting of Arran, which abounds in grouse and black-game, is entirely in the hands of the Duke of Hamilton, who rents the game of the small fragment of that picturesque island that does not belong to himself.

In Argyllshire also, the great shootings are mostly in the hands of the proprietors, but we have found a few shootings that are in use to be let in this county at the following rents:—

Boverly, 4000 acres	.	.	.	Rent £120
Dalmally, 8 miles by 4	.	.	.	150
Lochawe-side, 4000 acres	.	.	.	50
Tyndrum, 2 to 3 miles square	.	.	.	50

In all these, the rents obtained from the shooting are over and above the agricultural and pastoral rent. No difference is made in the mode of culture or pasture on account of game or sport. But in the northern district of the mainland of this great county, which is more than 100 miles in length, a range of 35,000 acres is devoted to deer-forest by the Marquis of Breadalbane, and nearly as much by Mr. Campbell of Monzie, who give up all pasture rent, and in a great degree the common sport of 'grouse-shooting, for the sake of the deer, an animal that will not live with sheep and shepherds' dogs, and which must not be disturbed by the frequent crossing of the grouse-shooter

Perthshire, the greatest of the Highland counties, is also the greatest in amount of rent derived from shootings, notwithstanding the vast territories reserved for the great lords of the soil. In the southern part of the county, Lord Willoughby has a small deer-forest, where Prince Albert found more stags than there were in the days of Fitz-James; and in the north a large tract is devoted to the same purpose by Lord Breadalbane, besides leaving abundance of grouse-ground. The Marquis's territory under deer and (mixed) grouse and sheep in this county is reckoned to extend to 153,000 acres, and to be worth 4085*l.* of yearly game rent. After these and numerous other deductions of moors and forests not let, the extent of acres let for grouse-shooting

shooting has been computed at 534,400, and the annual rent produced at 10,957l.*

In Perthshire, therefore, the rate seems to be, on an average, 50 acres for one pound of rent. But it must be kept in view that the game-rent is in addition to the pasture-rent, and moreover, in almost all cases the tenants of the soil benefit greatly by the expenditure of the sportsmen tenants of their glens. Additional accommodation is required beyond the shooting 'bothy;' extra servants, 'gillies,' baggage-horses, shooting ponies, to be furnished and fed. The goodwife cannot supply enough from her dairy and poultry-yard. The very meal and straw for the dogs, and horse corn, are all derived from the same quarter—and all to be paid for. It is remarked that small Highland farmers pay a good portion of their Martinmas rents in English sovereigns, instead of the dear, dirty notes of their own banks.

In Angus, the great lords of the Grampian glens, the Ogilvies and Lord Panmure, do not let their shootings, but are contented with such sport for themselves and their friends as can be combined with sheep-pasturing.

Aberdeenshire contains not only the highest mountain in Bri-

* The details may be interesting to some of our readers :—

Name of Shooting.	Extent. in Acres.	Game Rent.	Name of Shooting	Extent in Acres.	Game Rent.
		£			£
Blair Forest	60,000	2,000	Tullymurdoch	1,000	10
Polka and Tarff	20,000	660	Glenlvin and Meggernay	20,000	150
Glen Bruar	12,000	300	Monzie	2,000	80
Dalnaspuland Mealaletlich	16,000	360	Bonskeld and Bo'ranmick	1,000	20
Aldvoulne and Clunee	15,000	150	Glenfallach	10,000	80
Glenfergus	10,000	150	Fancastle	2,500	35
Dalnacardoch, &c.	7,000	120	Tullymett	3,000	80
Kyrachan and Glenrombie	7,000	105	Baledmund and Balaheilly	1,000	23
Loch Vallgau	5,000	90	Kindroogar, Dernancan, and Woodhill	10,000	100
Strathumell and Bohespee	4,000	80	Laide and Shierglass	6,000	100
Laighwood	2,000	25	Cheathill	3,000	70
Strom Point	4,000	80	Glenlyle	4,000	50
Loch Ordie	16,000	400	Glennamond	4,000	80
Grandtully	14,000	200	Currymuchloch and Coyrachan	5,000	70
Logieholm	7,000	150	Innochlagernie	4,000	50
Ilum am, &c.	60,000	700	Dalgue	1,000	20
Sliesgarbh	4,000	60	Ardrivich	5,000	100
Mount Alexander	4,000	100	Glenbuckie and Stronvaar	10,000	150
Balnaguard	8,000	150	Loch Gary, Kinloch, and Dal- chosnie	3,400	150
Auchlerks, &c.	4,000	100	Innerchaddau	3,000	80
Trinartou	8,000	300	Glenoturrit	5,500	250
Crossmount and Garthlibnitt } House	6,000	200	Oultertyre	4,500	100
Glenquich	4,000	100	Donavoud	1,500	50
Kinloch	3,000	40	Aberculhill	3,000	90
Edrafour	4,000	180	Connachan	5,000	130
Killchessane with Slick, &c.	6,000	200	Lochearnside	10,000	220
Foss House, &c.	60,000	800	Loch Katrine Side	8,000	150
Slieshnein, belonging to Sir R. Menzies	5,000	100	Canoglen	1,000	30
Duntanlich, &c.	4,000	50	Fowls Wester	1,500	25
Banff	3,000	50	— Easter	2,500	42
Kilbride		50	Abergoldie and Glenlednag	14,000	300

tain, but, if we take in a small border of Perthshire, by far the most considerable Alpine range. From Dee to Spey, from Blair to Ballater, a good day's journey in any direction, may be said to form a continued hunting-ground of the highest quality for sport. The Spey and Dee, even so high up in their course, give fair salmon-fishing. The streams which feed them, and the mountain lochs, are full of trout, which afford good sport to the angler, and are delicate on the table, though unsightly to look at. In a June evening at the east end of Loch Tilt, we have taken trout as fast as we could throw for an hour together (stans 'lapide' in uno) sometimes two at a time, small mossy trout with unshapely heads. Loch-nan-Ean—a high mountain tarn in the wilds of Invercauld—has a better kind of trout, which the natives choose to call char. It is readily taken with fly, and is found of good size. We have eaten them at the inn of Spittal of Glenshee of a pound weight and red in the flesh, and (after a walk from Braemar) they required no sauce to make us pronounce them delicious. On the other declivity of this range, the Don rises, which for forty miles of its course gives the finest trout-fishing we know in Scotland. It is less rocky and impetuous than the Dee. Its banks are richer, and its alternate pool and gravelly stream are to the very heart's content of an angler. Time was when we have fished the Don from the 'Cock Brig of Alergue,' where the old military road crosses, all the way down under the ruined towers of Kildrummy, to where the ancient Culdees placed their monastery on the banks of that sweet stream among the rich meadows of Monymusk. Our way was more in the river bed than on any road, and it was superb sport. The fishing-basket each day was several times emptied of the smaller trout, and was frequently brought home filled at night with not one of less than a pound weight, some running to three pounds. The outskirts of all that wild range we have described are perhaps on the whole the best grouse-shooting in Scotland. Lord Elcho lately shot more grouse there in one day than was ever done by one gun before; though we have heard that Mr. Campbell of Monzie has since, in a comparatively narrow beat, far exceeded that number—a feat which we should like to have recorded more accurately. As you penetrate deeper into the fastnesses you get among the great deer-glens of Mar and Athol; and, threading the streams to their heads, you find yourself rapidly leaving first grass, then heather, and lastly the lichen vegetation, where the tops of Ben MacIhui and Cairn Gorm present nothing to the foot or the eye but the débris of red granite. That is the haunt of ptarmigan. The Highlander tells you they live on stones; and it is true their crops are found to contain a quantity
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of pebbles, necessary for triturating the tough moss and Alpine plants that form their food.

It is long ago, but not the less fresh in our memory, when we first penetrated these mountains from the north, that is, the Spey side. It was a September morning that we rode our pony (hight Glenelg from the country of his breeding) to the highest farmhouse in Abernethy, where we left him to wait our return. Two active lads, sons of the tenant, were delighted to accompany us, and we were on our march when the day was still early. In those days, the lower part of the glen of Nethy was too rank heather for grouse; and for miles we passed over, scarcely letting our dogs hunt it. Towards evening we fell among several good coveys, and had abundance of sport, and more than the gillies liked to carry, before we struck the waters that run to the Awn. But our object was other game, and we were glad to find ourselves getting among the ptarmigan as night fell. A council was held to deliberate where we should sleep. We ourselves inclined for the Clach-ean, the shelter-stone on the rocky bank of Loch Awn. But it was easy to see our proposal was most distasteful to the natives. It is well enough known that the shelter-stone is under the peculiar charge of the fairy people of Glen Awn, who are pretty hospitable when a shepherd or deer-stalker is driven there by stress of weather, but will not tolerate any wanton attempt to encroach upon their protection. We have since that time passed a night there. But then, the cautious councils prevailed, and our party turned a little eastward, and made, as it got quite dark, a shealing which the shepherds of Glen Awn use for a few months in summer, situated almost at the highest 'forking' of Awn, and, so far as we know, the highest inhabited house that night in Britain. It was a hut of green sod, with a roof of thin black turf. The walls were not above three feet high, and one required to enter as you do into the galleries of the pyramids. Having crept in, we were heartily welcomed by the shepherds, and after eating our supper together (to which they contributed a piece of 'mutton' marvellously like venison), and when we had reconciled their thin active dogs to our tired pointers having a share of the heather in the corner, we lay down in our plaids round the fire of bog-fir and heather-roots, which smouldered in the midst of the hovel. The weather had changed in the course of the night, and one of our party awoke with a feeling of intense cold. He trimmed the fire, and threw upon it a bundle of wet heather, which produced at first only smoke. He had thrust his feet towards the fire, and was again asleep, when we were aroused by a shout of 'fire,' and found, on springing up, the roof of the bothy in a light blaze, caught from the

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the heather thrown on the fire blazing up as it dried. To rush out was the first impulse. It was snowing, and the roof was covered with a thin coat of snow, which had no effect in checking the fire. The burn ran close by, and with our bonnets we laved up water on the low roof, and soon got the fire extinguished, but at the expense of leaving a little lake to fill the place so lately occupied by our beds. This was uncomfortable enough, and as we sat under the roof, which still sheltered us from the snow, longing for daylight, we formed certain vows against being caught bivouacking again on the 'burn of the Carouries.' The night had an end, and we sallied out prepared to yield to fate and the weather, and to make for the low country; when the snow suddenly ceased falling. The sun, not yet risen above our horizon, began to tinge with rose the white cairn of Cairngorm. Then top after top caught the glow, till the whole mountains round shone in glorious light. Coming from that dark smoky cabin, the change was magical. It was perfectly still: even on the highest cliffs there was not a breath. As we walked forward, the ptarmigan crowed and rose at our feet. Taking up our dogs, we began shooting, and had several hours of very fine sport. The birds when found were generally down on the white moss beside the little streams that intersect it; but on being flushed, they took short flights and lighted on the steep *corries*, often within sight, so that 'marking' was of as much importance as in a day of Norfolk partridge-shooting. In that our 'henchmen' excelled, and also in directing our approaches to the game when marked. It would be a nervous sort of climbing in other circumstances, but with the game before him, a man thinks little of the danger, and really incurs less from not thinking. Before the weather changed, which it did at mid-day, our bag was well filled. We have seen many a fine day round the black rocks of Loch Awn and on the side of Cairngorm; but that morning rests brightest in our memory.

The Earl of Seafield's shootings which are let—partly in Inverness-shire, but chiefly in Moray and Banff shires—are about 245,000 acres in extent, at rents which seem to average 1*l.* for a hundred acres, varying from one-half to two-thirds of the grazing-rent of the same ground.

In Inverness-shire it has been found impossible to obtain any tolerably accurate statement of the extent of the shootings let. The whole rent derived from shootings in this large county is about 9000*l.*, exclusive however of the portion of rent which may be called the grazing-rent of deer-forests, that is, what could be obtained for the ground for sheep-pasture. The smallness of produce from this favourite county is in some degree accounted for,

for, by several large properties, which were formerly rented for shooting, having been lately purchased by sportsmen, who now keep the game for their own use. Lord Lovat and several of the old proprietors also have large districts in their own occupation.

As the traveller journeys northward by the great Highland road, and, arriving on the banks of the Spey, turns to trace down for many miles its magnificent valley, he has on his right hand the grand range of the Cairngorms, for which the light of the morning or evening sun reflected from their bare scalps of red granite has obtained from the Badenoch shepherd the name of the *Mona Ruadh* (Red Mountains); while, to distinguish them, he calls the range on the opposite or north side of the valley, the *Mona Liadh*, or grey mountains. These last are not much seen from the road, except where they throw out into the valley the prominent heights of 'Craig-dhu,' once the battle-cry of the sept of Macpherson, and 'Craigellachie,' whose name gave the old slogan of the Grants. Behind these, rises the wild high range of the *Mona Liadh*, where the streams collect that feed the river Findhorn. It is a desolate dreary region, intersected by one or two green glens, fringed with dwarf birch and juniper, and studded thick with the 'black towns,' as the little clusters of turf hovels are denominated, where is seen the ancient mode of life and crowded population now banished from most of the Scotch glens. The lord of all this country is the chief of Macintosh, whose forefathers, 'Captains of Clanchattan,' used to draw a formidable band of followers from those glens now so quiet. It was into those fastnesses the unbroken and frowning body of the Highland army retreated after the defeat of Culloden; and they retreated unmolested. It was not ground for Hanoverian horse or Lowland foot to give them much annoyance. For long after the Rebellion, the tract was hardly visited but by the shepherds, and now and then a deer-stalker from Kingussie. Grouse were not worth killing, if the poor Highlander had had the skill and the apparatus for their slaughter. Even after grouse-shooting had become somewhat fashionable, the *Mona Liadh* was neglected. No road led into its wild solitudes, and it was set down in men's minds as the interior of Africa in the old maps, where strange monsters and naked savages are painted to represent the untrodden desert. The first sportsman who penetrated the district was an adventurous officer quartered at Fort George some thirty years ago. He was hardy, and could put up with the shepherd's fare and mode of life; he found grouse in abundance, fine streams, and several lakes full of trout; roe, and a fair sprinkling of red deer, notwithstanding the constant molestation of shepherds and sheep-dogs; and he secured the exclusive sport

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of the whole territory, said to be 40,000 acres, for 20*l.* a-year. Times are changed in the *Mona Liadh*. A good road now leads up to the door of a comfortable shooting-box; the lease has just expired, and the 'Laird' proposes to divide the ground, and build another lodge five miles farther up; and as there is range for six or eight guns, he may expect 500*l.* or 600*l.* per annum for the shooting.

Passing red deer are met with on all the higher ranges of this county. But it is chiefly on the estates of Lord Lovat, Sir G. M. Grant, and Cluny, the chieftain of Macpherson, that large districts are cleared of sheep and devoted exclusively to deer. Where these deer-forests are let, the tenant of course pays the rent of the land as pasture, as well as the shooting-rent. The landlord benefits by an increased rent; the natives of the glens have no reason to complain; so far from this practice tending to dispeople the country, the very opposite is the case. Glenfeshie, a fine valley of a tributary of the Spey, was until a few years ago occupied as a sheep-farm; and an arable farm of one hundred acres round the house of Invereshie being laid down in pasture for wintering the sheep, three shepherds and a boy were all the servants then required, with the addition of a few hands at sheep-shearing. It is now let as a deer-forest. 'The tenant of the forest employs seven keepers on yearly wages; four watchers during the shooting-season; and an average of about a dozen 'gillies.' When the last tenant, Mr. Ellice, rented the forest, as many as twenty-six gillies have started on one morning from Invereshie—two attending each sportsman. The tenant and his guests require a number of ponies, which are furnished by the neighbouring farmers. The arable land, instead of being kept in permanent pasture, is regularly cultivated, employing the establishment of servants and cattle required for such a farm. Another tract of Sir G. M. Grant's (the ancient forest of Gawick) is now again brought under deer, and let in the same manner.

Cluny Macpherson's deer-forest, and a large range of grouse-ground, are let to the Marquis of Abercorn, who has 40,000 acres, freed of sheep and kept for deer only. He has established his summer lodge on the lovely banks of Lochlaggan; and it may be readily imagined what advantage is derived to a Highland glen from such an establishment. In that and many other instances, the occupant of the shootings, though only a tenant, becomes attached to the place, and either secures a long lease or makes it the interest of his landlord to keep him: thus ending the evil which sometimes results from an ephemeral occupancy, and bringing the gentry of the lodge and the people of the glen to regard each other as old friends and permanent neighbours.

Lord

Lord Lovat does not let his deer-forest of Strathfarar and Strathglas. It is rather narrow, but in some places of exquisite beauty.

From the best information we have been able to obtain, the shootings usually let in Ross-shire produce about 4000*l.* a-year.

In Sutherland, which, with the exception of one or two estates of moderate size, is the property of the Duke of Sutherland, we have not heard of any shootings being let.

In Caithness, moors are let only for grouse-shooting, producing an average rent of about 1700*l.* a-year. There are no deer-forests.

It is to the varied sports afforded by this wide region of moor and mountain, lake and river, that we would now introduce such of our southern readers as do not scorn our gentle guidance.

First in rank is the royal sport—the noblest of hill-craft—the chase of the red-deer. To illustrate the art of deer-stalking, Mr. Scrope has devoted his skill as an artist, and his knowledge and experience as a veteran sportsman. We have endeavoured to do justice to his work on that subject in a former Number (*Quart. Rev.*, vol. lxiii. p. 73). He has painted deer-stalking as he enjoyed it in the Duke of Athol's forest—and in every page we recognise the hand of a thoroughbred and most gallant sportsman. The only defect is that Mr. Scrope's proceedings have usually been on the grandest scale—conducted with all the appliances of a princely establishment—no end of retainers of all classes at his disposal. Accordingly it could be but on rare occasions that he was able to exert in perfection the powers of tact and personal endurance of which some of his chapters prove him to be possessed. We are confident he would have enjoyed the sport still more than he did, had he been compelled to trust more exclusively to his own good eye and sinews. In truth, the superiority of deer-stalking over other sports lies in its calling forth and putting to the test the highest qualifications of a sportsman. To hope to succeed in it, a man must be of good constitution, patient of toil, cold, hunger, and all hardship, and not to be discouraged by ill success. He must be active and quick of foot; he must have a keen eye and steady hand, and unshaken nerves; but, bringing all these preliminary qualifications, the young deer-stalker must still further learn to know the nature of the ground and the habits of the animal: he is to contend against the lord of the mountain. The red-deer is unmatched in strength, and speed, and endurance; he is very watchful; his sight is perfect; his hearing perfect; his sense of smell so acute that it detects the taint of a human enemy on the wind at the distance of miles. It is against these qualities and instincts, in a region best suited for their display, the deer-stalker has to match himself; and it is no inglorious triumph for human reason if he has the superiority. We think the individual exertion,

tion, the perseverance and sagacity, necessary for success when the devotee goes forth, single-handed, are well shown in a few pages from a journal of a sportsman to which we have had access. We have used the liberty of abridging it, but have neither added nor altered anything of the sense, and can vouch for its being literally and wholly true. At the time of the adventures described, the writer was a very young man, fresh from a London life; but he was 'come of a good kind,' and took to the rough doings of the mountain life with that hearty enthusiasm and resolution not to be beat, which we love to think characteristic of Englishmen:—

'*Sunday.*—This evening, Malcolm, the shepherd of the shealing at the foot of Benmòre, returning from church, reported his having crossed in the hill a track of a hart of extraordinary size. He guessed it must be "the muckle stag of Benmòre," an animal that was seldom seen, but had long been the talk and marvel of the shepherds for its wonderful size and cunning. They love the marvellous, and in their report "the muckle stag" bore a charmed life; he was unapproachable and invulnerable. I had heard of him too; and having taken my informations, resolved to adventure to break the charm, though it should cost me a day or two.

'*Monday.*—This morning's sunrise saw me with my rifle, Donald carrying my double barrel, and Bran, on our way up the glen to the shealing at the foot of Benmore. Donald is a small wiry old Highlander, somewhat sleepy in appearance, except when game is in sight, but whose whole figure changes when a deer comes in view. I must confess, however, he had no heart for this expedition. He is not addicted to superfluous conversation, but I heard him mutter something of a "feckless errand—as good deer nearer hame." Bran is a favourite: he is a sort of lurcher—a cross between a high-bred Highland stag-hound and a bloodhound; not extremely fast, but untiring, and of courage to face anything on four legs—already the victor in many a bloody tussle with hart and fox. We held generally up the glen, but turning and crossing to seek every likely corrie and burn on both sides. I shot a wild cat, stealing home to its cairn in the early morning; and we several times in the day came on deer, but they were hinds with their calves, and I was bent on higher game. As night fell, we turned down to the shealing rather disheartened; but the shepherd cheered me by assuring me the hart was still in that district, and describing his track, which he said was like that of a good heifer. Our spirits were quite restored by a meal of fresh-caught trout, oat-cake and milk, with a modicum of whisky, which certainly was of unusual flavour and potency.

'*Tuesday.*—We were off again by daybreak. I must pass several minor adventures, but one cannot be neglected. Malcolm went with us to show where he had fast seen the track. As we crossed a long reach of black and broken ground, the first ascent from the valley, two golden eagles rose out of a hollow at some distance. Their flight was lazy and heavy, as if gorged with food, and on examining the place we found the carcass of a sheep half-eaten, one of Malcolm's flock. He

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vowed vengeance; and, merely giving us our route, returned for a spade to dig a place of hiding near enough the carcass to enable him to have a shot if the eagles should return. We held on our way, and the greater part of the day without any luck to cheer us, my resolution "not to be beat" a good deal strengthened by the occasional grumbling of Donald. Towards afternoon, when we had tired ourselves with looking at every corrie in that side of the hill with our glasses, at length, in crossing a bare and boggy piece of ground, Donald suddenly stopped, with a Gaelic exclamation, and pointed—and there to be sure was a full fresh foot-print, the largest mark of a deer either of us had ever seen. There was no more grumbling. Both of us were instantly as much on the alert as when we started on our adventure. We traced the track as long as the ground would allow. Where we lost it, it seemed to point down the little burn which soon lost itself to our view in a gorge of bare rocks. We proceeded now very cautiously, and taking up our station on a concealed ledge of one of the rocks, began to search the valley below with our telescopes. It was a large flat, strewn with huge slabs of stone, and surrounded on all sides but one with dark damp rocks. At the farther end were two black lochs, connected by a sluggish stream;—beside the larger loch, a bit of coarse grass and rushes, where we could distinguish a brood of wild ducks swimming in and out. It was difficult ground to see a deer, if lying; and I had almost given up seeking, when Donald's glass became motionless, and he gave a sort of grunt as he hitched on his belly, without taking the glass from his eye. "Ugh! I'm thinking you's him, sir. I'm seeing his horns." I was at first incredulous. What he showed me close to the long grass I have mentioned, looked for all the world like some withered sticks; but the doubt was short. While we gazed, he rose and commenced feeding; and at last I saw the great hart of Benmore! He was a long way off, perhaps a mile and a half, but in excellent ground for getting at him. Our plan was soon made. I was to stalk him with the rifle, while Donald, with my gun and Bran, was to get round, out of sight, to the pass by which the deer was likely to leave the valley. My task was apparently very easy. After getting down behind the rock, I had scarcely to stoop my head, but to walk up within shot, so favourable was the ground and the wind. I walked cautiously, however, and slow, to give Donald time to reach the pass. I was now within three hundred yards of him, when, as I leant against a slab of stone, all hid below my eyes, I saw him give a sudden start, stop feeding, and look round suspiciously. What a noble beast! what a stretch of antler! with a mane like a lion! He stood for a minute or two, snuffing every breath. I could not guess the cause of his alarm; it was not myself; the light wind blew fair down from him upon me. I knew Donald would give him no inkling of his whereabouts. He presently began to move, and came at a slow trot directly towards me. My pulse beat high. Another hundred yards forward, and he is mine! But it was not so to be. He took the top of a steep bank which commanded my position, and he saw me in an instant, and was off, at the speed of twenty miles an hour, to a pass wide from that where Donald was hid. While clattering up the

hill, scattering the loose stones behind him, two other stags joined him, who had evidently been put up by Donald, and had given the alarm to my quarry. It was then that his great size was conspicuous. I could see with my glass they were full-grown stags, and with good heads, but they looked like fallow-deer as they followed him up the crag. I sat down, disappointed for the moment; and Donald soon joined me, much crestfallen, and cursing the stag in a curious variety of Gaelic oaths. Still it was something to have seen "the muckle stag," and *nil desperandum* was my motto. We had a long and weary walk to Malcolm's shealing; and I was glad to get to my heather bed, after arranging that I should occupy the hut Malcolm had prepared near the dead sheep next morning.

' *Wednesday*.—We were up an hour before daylight—and in a very dark morning, I sallied out with Malcolm to take my station for a shot at the eagles. Many a stumble and slip I made during our walk, but at last I was left alone fairly ensconced, and hidden in the hut, which gave me hardly room to stand, sit, or lie. My position was not very comfortable, and the air was nipping cold just before the break of day. It was still scarcely grey dawn when a bird, with a slow, flapping flight, passed the opening of my hut, and lighted out of sight, but near, for I heard him strike the ground; and my heart beat faster. What was my disappointment when his low crowing croak announced the raven! and presently he came in sight, hopping and walking suspiciously round the sheep, till, supposing the coast clear, and little wotting of the double-barrel, he hopped upon the carcase, and began with his square cut-and-thrust beak to dig at the meat. Another raven soon joined him, and then two more, who, after a kind of parley, quite intelligible, though in an unknown tongue, were admitted to their share of the banquet. I was watching their voracious meal with some interest, when suddenly they set up a croak of alarm, stopped feeding, and all turned their knowing-looking eyes in one direction. At that moment I heard a sharp scream, but very distant. The black party heard it too, and instantly darted off, alighting again at a little distance. Next moment, a rushing noise, and a large body passed close to me; and the monarch of the clouds lighted at once on the sheep, with his broad breast not fifteen yards from me. He quietly folded up his wings, and, throwing back his magnificent head, looked round at the ravens, as if wondering at their impudence in approaching his breakfast-table. They kept a respectful silence, and hopped a little farther off. The royal bird then turned his head in my direction, attracted by the change of the ground which he had just noticed in the dim morning light. His bright eye that instant caught mine as it glanced along the barrel. He rose; as he rose I drew the trigger, and he fell quite dead half a dozen yards from the sheep. I followed Malcolm's directions, who had predicted that one eagle would be followed by a second, and remained quiet, in hopes that his mate was not within hearing of my shot. The morning was brightening, and I had not waited many minutes when I saw the other eagle skimming low over the brow of the hill towards me. She did not light at once. Her eye caught the change in the ground or the dead body of her

her mate, and she wheeled up into the air. I thought her lost to me, when presently I heard her wings brush close over my head, and then she went wheeling round and round above the dead bird, and turning her head downwards to make out what had happened. At times she stooped so low, I saw the sparkle of her eye and heard her low complaining cry. I watched the time when she turned up her wing towards me, and fired, and dropped her actually on the body of the other. I now rushed out. The last bird immediately rose to her feet, and stood gazing at me with a reproachful, half-threatening look. She would have done battle, but death was busy with her, and, as I was loading in haste, she reeled and fell perfectly dead. Eager as I had been to do the deed, I could not look on the royal birds without a pang. But such regrets were now too late. Passing over the shepherd's rejoicing, and my incredible breakfast, we must get forward in our own great adventure. Our line of march to-day was over ground so high that we came repeatedly in the midst of ptarmigan. On the very summit, Bran had a rencontre with an old mountain fox, toothless, yet very fat, whom he made to bite the dust. We struck at one place the tracks of the three deer, but of themselves we saw nothing. We kept exploring corrie after corrie till night fell; and as it was in vain to think of returning to the shealing, which yet was the nearest roof, we were content to find a sort of niche in the rock, tolerably screened from all winds; and having almost filled it with long heather, flower up, we wrapped our plaids round us, and slept pretty comfortably.

'Thursday.—A dip in the burn below our bivouac renovated me. did not observe that Donald followed my example in that; but he joined me in a hearty attack on the viands that still remained in our bag; and we started with renewed courage. About mid-day we came on a shealing beside a long narrow loch, fringed with beautiful weeping-birches, and there we found means to cook some grouse I had shot to supply our exhausted larder. The shepherd, who had "no Sassenach," cheered us by his report of "the deer" being lately seen, and describing his usual haunts. Donald was plainly getting disgusted and homesick. For myself, I looked upon it as my fate that I must have that hart; so on we trudged. Repeatedly, that afternoon, we came on the fresh tracks of our chace, but again he remained invisible. As it got dark, the weather suddenly changed, and I was glad enough to let Donald seek for the bearings of a "whisky bothie" which he had heard of at our last stop. While he was seeking for it, the rain began to fall heavily, and through the darkness we were just able to distinguish a dark object, which turned out to be a horse. "The lads with the still will no be far off," said Donald. And so it turned out. But the rain had increased the darkness so much, that we should have searched in vain if I had not distinguished at intervals, between the pelting of the rain and the heavy rushing of a black burn that ran beside us, what appeared to me to be the shrill treble of a fiddle. I could scarcely believe my ears. But when I told my ideas to Donald, whose ears were less acute, he jumped with joy. "It's all right enough; just follow the sound; it's that drunken devil, Sandy Ross; ye'll never haud a fiddle frae him, nor him frae a whisky-still."

still." It was clear the sound came from across the black stream, and it looked formidable in the dark. However, there was no remedy. So grasping each the other's collar, and holding the guns high over head, we dashed in, and staggered through in safety, though the water was up to my waist, running like a mill-race, and the bottom was of round slippery stones. Scrambling up the bank, and following the merry sound, we came to what seemed a mere hole in the bank, from which it proceeded. The hole was partially closed by a door woven of heather; and, looking through it, we saw a sight worthy of Teniers. On a barrel in the midst of the apartment—half hut, half cavern—stood aloft, fiddling with all his might, the identical Sandy Ross, while round him danced three unkempt savages; and another figure was stooping, employed over a fire in the corner, where the whisky-pot was in full operation. The fire, and a sliver or two of lighted bog-fir, gave light enough to see the whole, for the place was not above ten feet square. We made our approaches with becoming caution, and were, it is needless to say, hospitably received; for who ever heard of Highland smugglers refusing a welcome to sportsmen? We got rest, food, and fire—all that we required—and something more; for long after I had betaken me to the dry heather in the corner, I had disturbed visions of strange orgies in the bothy, and of my sober Donald exhibiting curious antics on the top of a tub. These were perhaps productions of a disturbed brain; but there is no doubt that when daylight awoke me, the smugglers and Donald were all quiet and asleep, fit past my efforts to rouse them, with the exception of one who was still able to tend the fire under the large black pot.

'Friday.—From the state in which my trusty companion was, with his head in a heap of ashes, I saw it would serve no purpose if I were able to awake him. He could be good for nothing all day. I therefore secured some breakfast and provisions for the day (part of them oat-cake, which I baked for myself), tied up Bran to wait Donald's restoration, and departed with my rifle alone. The morning was bright and beautiful, the mountain-streams overflowing with last night's rain. I was now thrown on my own resources, and my own knowledge of the country, which, to say the truth, was far from minute or exact. "Ben-na-skiach" was my object to-day, and the corries which lay beyond it, where at this season the large hafts were said to resort. My way at first was dreary enough, over a long slope of boggy ground, enlivened, however, by a few traces of deer having crossed, though none of my "chace." I at length passed the slope, and soon topped the ridge, and was repaid for my labour by a view so beautiful, I sat down to gaze, and I must even now present it to you, though anxious to get forward. Looking down into the valley before me, the foreground was a confusion of rocks of most fantastic shape, shelving rapidly to the edge of a small blue lake, the opposite shore of which was a beach of white pebbles, and beyond, a stretch of the greenest pasture, dotted with dropping white-stemmed birches. This little level was hemmed in on all sides by mountains, ridge above ridge, first closely covered with purple heath, then more green and broken by ravines, and ending in sharp serrated peaks

peaks tipped with snow. Nothing moved within range of my vision, and nothing was to be seen that bespoke life but a solitary heron standing on one leg in the shallow water at the upper end of the lake. From hence I took in a good range, but could see no deer. While I lay above the lake, the day suddenly changed, and heavy wreaths of mist came down the mountain-sides in rapid succession. They reached me soon, and I was enclosed in an atmosphere through which I could not see twenty yards. It was very cold too, and I was obliged to move, though scarcely well knowing whither. I followed the course of the lake, and afterwards of the stream which flowed from it, for some time. Now and then a grouse would rise close to me, and, flying a few yards, light again on a hillock, crowing and croaking at the intruder. The heron, in the darkness, came flapping his great wings close past me; I almost fancied I could feel their air. Nothing could be done in such weather, and I was not sure I might not be going away from my object. It was getting late too, and I made up my mind that my most prudent plan was to arrange a bivouac before it became quite dark. My wallet was empty, except a few crumbs, the remains of my morning's baking. It was necessary to provide food; and just as the necessity occurred to me, I heard through the mist the call of a cock grouse as he lighted close to me. I contrived to get his head between me and the sky as he was strutting and croaking on a hillock close at hand; and aiming at where his body ought to be, I fired my rifle. On going up to the place, I found I had not only killed him, but also his mate, whom I had not seen. It was a commencement of good luck. Sitting down, I speedily skinned my birds, and took them down to the burn to wash them before cooking. In crossing a sandy spot beside the burn, I came upon—could I believe my eyes?—"the Track." Like Robinson Crusoe in the same circumstances, I started back; but was speedily at work taking my informations. There were prints enough to show the hart had crossed at a walk leisurely. It must have been lately, for it was since the burn had returned to its natural size, after the last night's flood. But nothing could be done till morning, so I set about my cooking; and having after some time succeeded in lighting a fire, while my grouse were slowly broiling, I pulled a quantity of heather, which I spread in a corner a little protected by an overhanging rock: I spread my plaid upon it, and over the plaid built another layer of heather. My supper ended, which was not epicurean, I crawled into my nest under my plaid, and was soon sound asleep. I cannot say my slumbers were unbroken. Visions of the great stag thundering up the hills with preternatural speed, and noises like cannon (which I have since learnt to attribute to their true cause—the splitting of fragments of rock under a sudden change from wet to sharp frost), and above all, the constant recurrence of weary struggles through fields of snow and ice—kept me restless, and at length awoke me to the consciousness of a brilliant skylight and keen frost—a change that rejoiced me in spite of the cold.

'*Saturday.*—Need I say my first object was to go down and examine the track anew. There was no mistake. It was impossible to doubt that "the muckle hart of Benmore" had actually walked through that
burn

burn a few hours before me, and in the same direction. I followed the direction of the track, and breasted the opposite hill. Looking round from its summit, it appeared to me a familiar scene, and on considering a moment, I found I overlooked from a different quarter the very rocky plain and two black lochs where I had seen my chace three days before. I had not gazed many minutes when I made sure I distinguished a deer lying on a black hillock quite open. I was down immediately, and with my glass made out at once the object of all my wanderings. My joy was somewhat abated by his position, which was not easily approachable. My first object, however, was to withdraw myself out of his sight, which I did by crawling backwards down a little bank till only the tops of his horns were visible, which served to show me he continued still. As he lay looking towards me, he commanded with his eye three-fourths of the circle, and the other quarter, where one might have got in upon him under cover of the little hillock, was unsafe from the wind blowing in that direction. A burn ran between him and me, one turn of which seemed to come within two hundred yards of him. It was my only chance, so, retreating about half a mile, I got into the burn in hidden ground, and then crept up its channel with such caution that I never allowed myself a sight of more than the tips of his horns, till I had reached the nearest bend to him. There, looking through a tuft of rushes, I had a perfect view of the noble animal, lying on the open hillock, lazily stretched out at length, and only moving now and then to scratch his flank with his horn. I watched him for fully an hour, the water up to my knees all the time. At length he stirred, gathered his legs together, and rose; and arching his back, he stretched himself just as a bullock does, rising from his night's lair. My heart throbbed, as turning all round he seemed to try the wind for his security, and then walked straight to the burn at a point about one hundred and fifty yards from me. I was much tempted, but had resolution to reserve my fire, reflecting I had but one barrel. He went into the burn at a deep pool, and standing in it up to his knees, took a long drink. I stooped to put on a new copper cap and prick the nipple of my rifle, and—on looking up again, he was gone! I was in despair, and was even about moving rashly, when I saw his horns again appear a little farther off, but not more than fifty yards from the burn. By-and-by they lowered, and I judged he was lying down. "You are mine at last," I said, and I crept cautiously up the bed of the burn till I was opposite where he had lain down. I carefully and inch by inch placed my rifle over the bank of the burn, and then ventured to look along it. I could see only his horns, but within an easy shot. I was afraid to move higher up the bed of the burn, where I could have seen his body; the direction of the wind made that dangerous. I took breath for a moment and screwed up my nerves, and then with my cocked rifle at my shoulder and my finger on the trigger, I kicked a stone which splashed into the water. He started up instantly, but exposed only his front towards me. Still he was very near, scarcely fifty yards, and I fired at his throat just where it joins the head. He dropped on his knees to my shot, but was up again in a moment and went staggering up the hill. Oh, for one hour of Bran! Although the deer

deer kept at a mad pace, I saw he was soon too weak for the hill, and he swerved and turned back to the burn, and came headlong down within ten yards of me, tumbling into it apparently dead. Feeling confident, from the place where my ball had taken effect, that he was dead, I threw down my rifle and went up to the deer with my hunting-knife. I found him stretched out, and as I thought dying, and I laid hold of his horns to raise his head to bleed him. I had scarcely touched him when he sprang up, flinging me backwards on the stones. It was an awkward position. I was stunned by the violent fall; behind me was a steep bank of seven or eight feet high; before me the bleeding stag with his horns levelled at me, and cutting me off from my rifle. In desperation I moved, when he instantly charged, but fortunately tumbled ere he quite reached me. He drew back again like a ram about to butt, and then stood still with his head lowered, and his eyes bloody and swelled, glaring upon me. His mane and all his coat were dripping with blood and water, and as he now and then tossed his head with an angry snort, he looked like some savage beast of prey. We stood mutually at bay for some time, till I, recovering myself, jumped out of the burn so suddenly, that he had not time to run at me, and from the bank above, I dashed my plaid over his head and eyes, and threw myself upon him. I cannot account for my folly, and it had nearly cost me dear. The poor beast struggled desperately, and his remaining strength foiled me in every attempt to stab him forwards, and he at length made off, tumbling me down, but carrying with him a stab in the leg that lamed him. I ran and picked up my rifle, and then kept him in view as he rushed down the burn on three legs towards the loch. He took the water and stood at bay up to his chest in it. When he halted, I commenced loading my rifle, when to my dismay I found that all the remaining balls I had were for my double-barrel, and were a size too large for my rifle. I sat down and commenced scraping one to the right size, an operation that seemed interminable. At last I succeeded; and, having loaded, the poor stag remaining perfectly still, I went up within twenty yards of him, and shot him through the head. He turned over and floated, perfectly dead. I waded in and floated him ashore, and then had leisure to look at my wounds and bruises of the fight, which were not serious, except my shin-bone scraped from ankle to knee with the horn. I soon had cleaned my quarry and stowed him as safely as I could, and then turned down the glen at a gay pace. I found Donald with Bran reposing at Malcolm's shealing; and for all reproaches on his misconduct, I was satisfied with sending him in person to bring home the "Muckle hart of Benmore," a duty which he successfully performed before night-fall.

In giving the preference to the true deer-stalking, the sport that brings man's sense in fair opposition to the instinct of the brute, we must not be supposed to have overlooked Mr. Archibald McNeill of Colonsay's picturesque description of a very exciting sport, as practised by his brothers and himself in the forest of Jura—the coursing of red-deer with the large rough greyhound —the

—‘the noblest of all the Highland sports,’ as the zealous Hebridean, with allowable partiality, styles it.* We have not enjoyed all Mr. M’Neill’s advantages; but we have seen red-deer pulled down in gallant style by dogs of an ancient Skye breed; and it seems to us there are wanting some particulars to render this sport the noblest of all. In the first place, the ground being unfit for a horse at speed, the course can rarely be seen through all its length. Secondly, the risk of injury to the dogs is too great. What would an English lover of coursing think of a sport where the chance seems pretty even that a dog shall be killed or maimed in every course? Lastly, though we freely admit the skill in laying on the dogs, the exertion and the merit are, after all, more in the dogs than in the men.

One word in passing, of the noble race of dogs to which Mr. M’Neill has turned his attention, just in time to save it from extinction; and has at the same time bestowed some research in tracing their pedigree. Arrian remarks that Xenophon, in his work on hunting, had omitted some things—οὐχὶ ἀμελεία, ἀλλ’ ἀγνοία του γένους των κυῶν του Κελτικου καὶ του γένους των ἵππων του Σκυθικου τε καὶ Λιβυκου (cap. i.). Those Celtic dogs, he afterwards informs us, were called in the language of the Celts οὔετραγοι, from their swiftness—ἀπὸ της ὠκύτητος, and he describes them as καλόν τι χρεῖμα—and, the highest breed of them, in eye, shape, and coat, a treat to a sportsman’s eye, ἥδιστον θεῶμα ἀνδρὶ θηρευτικῷ (cap. iii.). These appear, however, to have been very distinct from the great Highland hound, and to have been rather the progenitors of the smooth greyhound, and perhaps of the long silky-haired greyhound still used in Persia and Greece. The great greyhound of Ireland and Scotland was long used against the wolf as well as the deer; and it was when the former enemy disappeared, and the latter became scarce and more easily obtained by new inventions, that these noble dogs were neglected and allowed to decay. Now that deer are no longer so scarce, all sportsmen must feel grateful to those who have saved the race from extinction. Capt. M’Neill’s dog ‘Buskar,’ of a pale yellow, with wiry hair, measured in height at the shoulder twenty-eight inches; in girth of chest, thirty-two inches; and his weight, when in running condition, was eighty-five pounds. Taken altogether, we think this is the noblest specimen of the canine family in Britain. We do not except even the grand old English mastiffs at Chatsworth.

Mr. Scrope’s book, the title of which we have prefixed to this article, has done for the sport of salmon-fishing what its predecessor performed for deer-stalking. He has given the latest facts

* See Scrope’s Deer-Stalking, chap. xii.

and theories regarding the breeding and progressive stages of the fish, whose natural history still wants further investigation; and it is a reproach to Scotland to allow any doubt to hang over a subject of such interest and importance. He has also given all necessary information for the salmon-fisher *in genere*, and particularly what is applicable to his two favourites, the Tweed and Tay; and he has embellished his book with the taste which we had a right to expect from such an artist and patron of art. If we were disposed to find fault with these two books, both so agreeable, we should venture to hint, that Mr. Scrope has not always caught the vein of Scotch character and humour, and that his narratives are in general better than the dialogues which he means to exhibit it. It is indeed a dangerous thing to meddle with. At the same time there are specimens to which we can offer no objection whatever. In particular, Sir Walter Scott's trusty henchman *Tom Purdie*, with whom Mr. Scrope was long familiar, seems to us to sustain his part exceedingly well: and it is, we know, admitted in Tiviotdale that in this case we have a true as well as striking portraiture.

Mr. Scrope was an angler from his childhood, and some of his early experiences are picturesquely told in this volume:—

‘When I could escape control, I divided my time between the water and the meadows; in warm weather the water, in cold the land possessed me. Then I began to tamper with the minnows; and, growing more ambitious, after a sleepless night full of high contrivance, I betook me at early dawn to a wood near the house, where I selected some of the straightest hazel sticks I could find, which I tied together and christened a fishing rod: a rude and uncouth weapon it was. I next sought out *Phyllis*, a favourite cow so called, in order to have a pluck at her tail to make a line with. But *Phyllis* was coy, and withheld her consent to spoliation; for when I got hold of her posterior honours, she galloped off, dragging me along, tail in hand, till she left me deposited in a water-course amongst the frogs. The dairy-maid, I think, would have overcome this difficulty for me, had I not discovered that horse-hair, and not cow's tail, was the proper material for fishing-lines; so the coachman, who was much my friend, plucked *Champion* and *Dumplin*, at my request, and gave me as much hair (black enough to be sure) as would make a dozen lines. For three whole days did I twist and weave like the Fates, and for three whole nights did I dream of my work. Some rusty hooks I had originally in my possession, which I found in an old fishing-book belonging to my ancestors. In fact, I did not put the hook to the rod and line, but my rod and line to the hook. I next proceeded to the pigeon-house, and picking some coarse feathers, made what I alone in the wide world would have thought it becoming to have called a fly; but call it so I did, in spite of contradictory evidence. Thus equipped I proceeded to try my skill; but exert myself as I would, the line had domestic qualities, and was resolved to stay at home. I never

I never could get it fairly away from the hazel sticks; therefore it was that I hooked no fish. But I hooked myself three times: once in the knee-strings of my shorts, once in the nostril, and again in the lobe of the ear. At length, after sundry days of fruitless effort, like an infant Belial, I attempted that by guile which I could not do by force; and dropping my fly with my hand under a steep bank of the stream, I walked up and down trailing it along. After about a week's perseverance, I actually caught a trout. Shade of Izaak Walton, what a triumph was there! That day I could not eat,—that night I slept not. Even now I recollect the spot where that generous fish devoted himself.

'As I grew up I became gradually more expert, and at length saved money sufficient to buy a real fishing-rod, line, reel and all, quite complete. Down it came from London, resplendent with varnish, and many cunning feats did I perform with it. About this time I learned to shoot; not that I was strong enough to hold a gun, but that the keeper put the said implement to his shoulder, when I took aim at larks and sparrows, and those sort of things, and pulled the trigger. So I waxed in years and wisdom. All the time I could steal from my lessons (for I was not quite a Pawnee) I spent in this edifying manner.

'At a rather more advanced period of my life I used to make long fishing excursions, generally with prosperous, but occasionally with disastrous, results. I remember well, when a pair of bait-hooks was to me a valuable concern, I hooked two large black-looking trouts in a deep pool at the same time. As I had to pull them several feet upwards against the pressure of the stream, my line gave way, and left me proprietor of a small fragment only. For some time I looked alternately at my widowed rod and my departed fish; which last were coursing it round and round the pool, pulling in opposite directions, like coupled dogs of dissenting opinions: *Durum—sed levius fit patientiâ*. So I sat down with somewhat of a rueful countenance, and began to spin with my fingers some horse-hair which I had pulled that morning, at the risk of my life, from the grey colt's tail. This being done in my own peculiar manner, and my only remaining hook being tied on with one of the aforesaid hairs, I continued to follow my sport down the stream for about half a mile. After the lapse of a considerable time, I had occasion to cross bare-legged from one bank to the other. In my transit through the current, I found something like a sharp instrument cutting the calves of my legs. I scampered ashore, under the impression that I was trailing after me some sharp-toothed monster, perhaps a lamper-eel; when, upon passing down my hand to ascertain the fact, I found, to my great astonishment and delight, that I was once more in possession of my lost line, hooks, fish, and all. The fish had fairly drowned each other, and, by a curious coincidence, were passively passing in the current at the time my legs stemmed it. Originally I had what in Scotland is called a *poke*, or bag, to carry my trouts in. This being rather of a coarse appearance, I panted after a basket. One of my school-fellows had exactly the thing; and I bargained for it by giving in return all my personal right in perpetuity to two young hawks.

Proud

Proud of my acquisition, I set out with no small share of vanity, carrying my basket through the whole length of a neighbouring village, which was considerably out of the way. When I arrived at the happy spot where my sport lay, I was successful as usual. At length the declining sun admonished me of some ten miles betwixt me and home ; so I resolved only to take a few casts in a dark and deep pool which was close at hand, and then to bend my course homeward. There I hooked a fine fish, which I was obliged to play for some time, and then, after he was fairly tired, to lift out with my hands, not having yet arrived at the dignity of a landing-net. In stooping low to perform this process, the lid of my new pet basket, which, from want of experience, I had omitted to fasten, flew open, and two or three of my last-killed fish dropped into the deep water immediately before me. In suddenly reaching forward to secure these, round came my basket, fish and all, over my head, and fairly capsized me. With some difficulty, and even risk of drowning, I got my head above water, and my hand on the crown of a sharp rock. There I stood, streaming and disconsolate, casting a wistful look at the late bright inmates of my basket, which were tilting down the weeds through the gullet into a tremendous pool, vulgarly called *Hell's Cauldron*.—p. 75.

Such was the infant angler. A scene in his maturer life reveals him to us, now smitten with the love of Scotch salmon fishing, on the banks of 'fair Tweed' at the 'cast' of the Kingswell Lees :—

'Now every one knows that the Kingswell Lees, in fisherman's phrase, fishes off land ; so there I stood on *terrá durá* amongst the rocks that dip down to the water's edge. Having executed one or two throws, there comes me a voracious fish, and makes a startling dash at "Meg with the muckle mouth." Sharply did I strike the cuttiff ; whereat he rolled round disdainful, making a whirl in the water of prodigious circumference : it was not exactly Charybdis, or the Maelstrom, but rather more like the wave occasioned by the sudden turning of a man-of-war's boat. Being hooked, and having by this turn set his nose peremptorily down the stream, he flashed and whizzed away like a racket. My situation partook of the nature of a surprise. Being on a rocky shore, and having a bad start, I lost ground at first considerably ; but the reel sang out joyously, and yielded a liberal length of line, that saved me from the disgrace of being broke. I got on, the best pace I was able, and was on good ground, just as my line was nearly run out. As the powerful animal darted through *Meg's Hole*, I was just able to step back and wind up a few yards of line ; but he still went a killing pace, and when he came near Melrose Bridge he evinced a distressing preference for passing through the farther arch, in which case my line would have been cut by the pier. My heart sank with apprehension, for he was near the opposite bank. Purdie, seeing this, with great presence of mind took up some stones from the channel, and threw them one by one between the fish and the said opposite bank. This naturally brought master Salmo somewhat nearer ; but still for a few moments we had a doubtful struggle for it. At length, by lowering the head

head of the rod, and thus not having so much of the ponderous weight of the fish to encounter, I towed him a little sideways; and so advancing towards me with propitious fin, he shot through the arch nearest me.

'Deeply immersed, I dashed after him as best I might; and arriving on the other side of the bridge I floundered out upon dry land, and continued the chase. The salmon, "right orgillous and presumptive," still kept the strength of the stream, and abating nothing of his vigour, went swiftly down the *Whirls*, then through the *Boatshiel*, and over the shallows, till he came to the throat of the *Elm-Wheel*, down which he darted amain. Owing to the bad ground, the pace here became exceedingly distressing. I contrived, however, to keep company with my fish, still doubtful of the result, till I came to the bottom of the long cast in question, when he still showed fight, and sought the shallows below. Unhappily the alders prevented my following by land, and I was compelled to take the water again, which slackened my speed. But the stream soon expanding and the current diminishing, my fish likewise travelled more slowly; so I gave a few sobs and recovered my wind a little, gathered up my line, and tried to bring him to terms. But he derided my efforts, and dashed off for another burst, triumphant. Not far below lay the rapids of the *Slaughterford*: he would soon gain them at the pace he was going, that was certain; see, he is there already! But I back out again on dry land, nothing loth, and have a fair race with him. Sore work it is. I am a pretty fair runner, as has often been testified; but his velocity is surprising. On, on,—still on he goes, ploughing up the water like a steamer. "Away with you, Charlie! Quick, quick, man,—quick for your life! Loosen the boat at the Cauld Pool, where we shall soon be." And so indeed we were, when I jumped into the said craft, still having good hold of my fish.

'The Tweed is here broad and deep, and the salmon at length had become somewhat exhausted; he still kept in the strength of the stream, however, with his nose seawards, and hung heavily. At last he comes near the surface of the water. See how he shakes his tail and digs downwards, seeking the deep profound—that he will never gain. His motions become more short and feeble; he is evidently doomed, and his race well nigh finished. Drawn into the bare water, and not approving of the extended cleik, he makes another swift rush, and repeats this effort each time that he is towed to the shallows. At length he is cleiked in earnest, and hauled to shore: he proves one of the grey scull, newly run, and weighs somewhat above twenty pounds. The hook is not in his mouth, but in the outside of it; in which case a fish being able to respire freely, always shows extraordinary vigour, and generally sets his head down the stream.'—p. 171.

This is very spirited, and Mr. Scrope's description of 'Burning the Water,' as spearing salmon by torch-light is called, is equally so; indeed it would be easy for us to fill twenty of our voracious pages with charming extracts; but we cannot at present afford room for more.

We confess our heresy! We do not value 'the best salmon-fishing

fishing in Scotland.' A man may kill his twenty fish in 'the Kelso water,' and dine upon one at the King's Arms afterwards, and declare, as he sips his wine, he has had a glorious day's sport. Compared with the fishing in the 'far north,' it is like a day of pigeon-shooting at the Red House compared with ptarmigan-shooting on Cairn-gorm.

Happy the man who can cast off his town coat and town habits, and turn his course northwards during the month of May, and say, 'I will return when I see good.' It would require the pen of inimitable 'Christopher of the Sporting Jacket' to describe his feelings. With what delight, with what boyish eagerness, does he hasten for the first time in the season, to the banks of his remote Highland river; and visit every familiar pool and stream where he has of old slain the bright salmon! Every rock, every stunted oak bears the impress of an old friend. Each is associated with the memory of some adventure, some success or danger. Let us follow him to the banks of the Findhorn. But let not the word 'banks' mislead. These are no banks of soft grass or sloping gravel. Where we have placed our angler, the river is hemmed in by high, black rocks, fringed at the top with the weeping-birch and birdcherry with its clustered flowers now perfuming the whole air. An almost imperceptible path leads down the rock to that black eddying pool, and thither our angler must scramble his descent. It is perilous footing, but he knows every step, and takes advantage of each hanging root and spray, and at length he stands safe on a rugged ledge a few feet above the water where it rushes in a coffee-coloured cataract into the black pool. Now, then, throw your fly into the strong current, and bring it back gently till it float quietly round that sunken stone, whose top makes a dimple in the smoother water. If a fish will rise in the pool, that is the spot. That was well done; but no rise yet:—try again. There, now! the fish, 'the monarch of the pool,' rises from his dark chamber, balances himself for an instant opposite your fly—darts at it, and then turns quietly away—safely hooked, however. Ah! he feels himself caught, and off he goes! Now look to your footing, or you are off too, from that ledge into the river below, where the salmon would have the best of it. But our angler is ready for all events, and keeps his head, while the fish darts first up the pool, then down it like lightning, now running out a hundred yards of line, now close at his feet. If the line slacken for a moment, he is off; but no—well done!—all is safe still. There he goes, right across the river, making twenty leaps into the air as quick as thought! If you get him safe through that, you may hope to kill him. Now his jumping is over, and he makes for the head of the pool, as if he would try the fall. But it is too heavy for him, and he turns down stream again, and, splashing and

and floundering, he perseveres steadily downwards. You cannot resist him; you must follow—with as short a line as you can—but follow you must. Scramble round that point of rock, holding on as you best may: you know the crevice that gives *one* sure hold for the hand; but don't slip, or you are drowned. There goes the fish, still straight downwards, rolling through the fall where the river again thunders out of the black pool. Well done! cleverly round the point! but you must still hold on, the fish has now a long stretch of tolerably even water, and is still making down the stream. At length you are on a level, with standing room nearly two yards square: now is the time to collect the nerves, and prepare for the last tussle. Feel his strength a little, and try to wind him up towards you. See! he begins to get tired, and shows his white side, and, better symptom still, I see the gillie preparing his gaff. There is a shelving slab of rock, and under it the gaffer has ensconced himself. You haul him up there close to the rock within reach of the clip. Now, gillie, gently! Take care you don't touch the line. No fear!—There he is, with the clip through his silvery side, safely landed!

Rushing down between the forests of Darnaway and Altyre, the Findhorn makes a continual succession of rapids and falls. How the salmon make their way up is most wonderful; but yet they do so, and rest but little on the way, till they reach the very head of the river among the wilds of the Mona-liadh. Few indeed live to return, the greater part being speared by torch-light, in spite of the water-bailiffs.

It is certainly astonishing what a supply of salmon is extracted from many of our northern rivers, notwithstanding their numerous enemies. What are killed by rod and line, by the *lister* (or harpoon) of the *black fisher*, and even by the more wholesale destruction of the net, are few in comparison with what are destroyed by their natural enemies—fish, bird, and beast. The full-grown salmon falls a prey in great numbers to seals in the sea, and otters in fresh water. The osprey sometimes attacks and kills salmon, though probably this kind of eagle cannot carry off a whole fish of great size. Thousands of gulls and sea-fowl feed for weeks on the fry as they descend the rivers to the sea. Common trout and eels, and the voracious heron also, feed on them while in the fresh water. The spawn is destroyed in prodigious quantities by fish of all kinds and by many birds. The water-ouzel is particularly destructive of them. This pretty little bird walks under the water (although Mr. Waterton denies it), and scratches up and feeds on the spawn, sending adrift great quantities that it does not devour.

Though enough has been written of grouse-shooting, we cannot pass it by altogether. The red-grouse is found in no other part
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of the world but these islands. Other countries would seem equally adapted for it, both as to food and climate, but the common red-grouse crows on no hills but our own. Its eggs are generally laid in a tuft of high heather, and the hen, sitting very close, is often killed by dogs or vermin. When hatched, both cock and hen take the greatest care of the young, and will fight crow or hawk courageously in their defence. We have seen the cock-grouse keep a hooded crow at bay while the hen led the young off and concealed them in the rank heather. Their food consists almost entirely of the young shoots of the heather, till oats are ripe, when, if there are any patches near, they are very greedy of it. Everybody knows how tame the birds are during the season when the youthful sportsman loves to see his deeds—the numbers of his slain—recorded in the newspapers. But that seldom lasts long. In most districts and in common seasons, the grouse is shy and watchful in September, and wild in October. When they pack in large flocks, at the approach of storm and wet, they are quite unapproachable, except by stalking, and keep so good a look-out, that even that is difficult. It is in a September day the sport of grouse-shooting is seen to most advantage, and the real sportsman contrasts best with the shooter who can use his gun, but is wanting in judgment, patience, and knowledge of the game and ground. Even if full-grown in August, they are changing their plumage and looking ragged. Nothing can be more thoroughly high-bred in looks than a grouse in September.

It were a long roll to enumerate all the enemies of the poor grouse. We may give the first place in honour, certainly not in amount of slaughter, to the double-barrel of the fair sportsman. Then come the poachers of every denomination, from the gang who cross a country in strength, prepared to resist all interruption, to the cotter's boy who snares the grouse on the late-sheaves with a gin of horse-hair. We might estimate the amount of poaching if we could reckon the quantity of game passing through the shops of London, Edinburgh, Glasgow, Perth, and Aberdeen. We may be satisfied that at least nine-tenths are poached, the small remainder being sent for sale by the few persons who, having moors of their own, or renting shooting-ground, choose to sell their game. Then comes the catalogue of 'vermin,' ground and winged, who feed themselves and their young altogether or partly on grouse and grouse-eggs. Hawks of all sorts, from the eagle to the merlin, destroy numbers. The worst of the family, and the most difficult to be destroyed, is the hen-harrier. Living wholly on birds of his own killing, he will come to no laid bait; and hunting in an open country, he is rarely approached near enough to be shot: skimming low, and
• quartering

quartering his ground like a well-trained pointer, he finds almost every bird, and with sure aim strikes down all he finds. The buzzard-hawk seldom takes any but very young birds, but immense numbers of young grouse go to feed his family. Then come the raven and the hooded-crow, numbers of which breed in the rocky burns and fir-woods adjoining the grouse-moors, and live mostly on grouse. Foxes, marten-cats, weasels, cats, wild and tame, all hunt for grouse; and a hungry shepherd's dog, always on the hill, does as much as any of them. Be it remembered, these enemies do not respect the close time. A hen sitting on her eggs is easily approached, and whether the mother is eaten, or only the eggs, the hope of that brood perishes equally. The very sheep, driven in great flocks, often break the eggs, while the shepherds' boys must require a good many to furnish the strings of them one meets in every cottage window. (We do not wonder at the little vagabonds for admiring them. They are beautifully marked with brown and black, and as game-looking as the bird, the rich red brown of the shell being very like its feathers.) It speaks the hardness of the bird that he continues to exist under such persecution. But the grouse not only maintains its numbers; it is increasing. Some proprietors were at first alarmed at the numbers slain by eager Southrons; but now they admit that there is no number which the fair sportsman can kill that is not more than counterbalanced by the trapping of vermin, and preserving, now introduced.

Grouse and salmon are the staple of Highland sport, the everyday enjoyment. Ptarmigan is only found in ground so high and distant, and in a region of such uncertain climate, it must not be relied on for a day of sport. In the best forest, deer-stalking gives more blanks than prizes. Trout-fishing, again, everywhere abundant, is nowhere so much better than is found in many districts of England, as to tempt Southern sportsmen to travel so far.

But let it not be thought that these are the only sports of the mountains. There is capital snipe shooting in the mosses and by inland lochs, at a season when snipe are not met with in England. There is wood-shooting of more variety than England can boast; even if no pheasants swell the *battue*, black-cock, woodcock, hare, rabbit, roe, and often red-deer, are the produce of a lucky day of Highland wood-sport. Most other kinds of shooting are enjoyed at least as well singly, whilst this is distinctively a social sport. There is nothing more cheerful than one of those days, late in the season, when half-a-dozen friends meet at breakfast, and adjourn to the covert side, attended by a couple of old slow hounds, and a few terriers or spaniels.

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The sharp bracing air, the grass just crisped with frost, the bright sky, the woods ringing to the chiding of dogs, from the shrill squeak of the cocker to the bay of the deep-mouthed hound, the occasional shout of beaters as they flush the game, the pleasant uncertainty of what is, to be the next to shoot at—all tend to make this one of the most exhilarating of sports.

Then, on inland lakes, and still more on those sea-lochs of the western coast—those inlets of indescribable beauty, where the weeping-birch and ash drop their tresses from every rocky headland into the deep, and the ocean-stream winds its blue length round some shadowy mountain in the distance, giving dim visions of mysterious solitude and romance—there are sports on a new element. Wild-fowl are there in abundance, stimulating the ingenuity of the sportsman to devise how to approach them. Sea-fishing is at least a variety of occupation, and one which the housekeeper much approves. Shooting and *hunting* seals (for the latter term suits the practice of some districts) is interesting, and sometimes very exciting, while you persuade yourself you are acting only for the protection of fish in warring against their voracious enemy.

When other sports fail, let the young sportsman fare forth alone, or with some skilful trapper, to make himself acquainted with the habits of what the keeper styles 'vermin'—foes to the game and to him. He will soon find wherewith to repay the trouble of his observation. Many men walk in deep covert, or among the confused rocks of a mountain cairn, and fancy all around a solitude, or that the air alone is inhabited by its buzzing, shinning people; while he whose eyes and ears have been opened, finds proofs of the neighbourhood of interesting inhabitants in the foot-prints that mark the soft mud or the sandy watercourse—in the oak-twigs nibbled so high that only deer could reach them—in the scratching of the green moss, which marks the couch of the roe—in the track, beaten like a highway, of the badger. Every old wall, every rocky burn is full of weasels; and the polecat and marten may be tracked by their prints as surely as the fox or deer. At night there is the wail of the wild-cat, the sharp barking of foxes, and all the sounds peculiar to the birds of night.

Let us take a glance at the otter, by far the most destructive enemy of the grown salmon, and spoiling most effectually the angler's sport; for when you find the fresh trail of an otter about a pool in the morning, you need not fish it for hours; not a fish will stir; so much has their enemy frightened those he has not destroyed. He is a silent and seldom seen creature, whose habits are but little known. An unobservant angler may fish a whole season on a river swarming with otters, and never see one. Keeping perfectly quiet all day in a concealed hole, having

perhaps its only entrance under water, he issues out after dusk, and glides like a ghost down the river to feed. He is an epicure in his diet, and kills many salmon for a single meal, eating only a morsel under the throat, and leaving the remainder for crows and ravens. Indeed the lordly eagle does not disdain the leavings of the otter. The largest we have ever seen was shot while feeding on a salmon killed by an otter. It was a white-tailed eagle; but the golden eagle has the same taste in this respect. When he has fed to satiety, the otter returns as noiselessly to his den as he left it, and generally before daylight. Still, an otter is sometimes seen in the day-time. If you come upon him on the bank unawares, he instantly glides into the water, making scarcely a ripple, and sinking quietly to the bottom, lies looking like a log of wood till you pass, when, rising, he gets his nose above water among weeds or branches, or in the concealment of some overhanging bank. Then, if you have your gun, rush by a circuit to the shallow at the tail of the stream, and wait patiently; for he will undoubtedly show himself there if you remain quiet. When disturbed, they take down stream, seeming to know that, floating down it, they are less conspicuous than if swimming against it. Down he comes, drifting mostly under water, looking like a rag, or a bundle of weeds, till the water becomes so shallow that he must needs foot it; and then he walks quietly, as he does everything. Then you have him at your mercy. But woe to the dog that attacks him! The teeth of the otter close on him and hold on with the grip of a bull-dog. Their sense of smell is very acute. Sometimes, when suspecting danger, but not too much alarmed, the otter will lift himself half out of the water, and standing as it were upright, watch for a time in the direction he expects an enemy, then sink without the smallest splash. It is in this attitude that he has furnished the prototype to the superstitious Highlander, of the 'kelpie' or water-spirit. Otters are very affectionate, and laying down a dead one on the river bank is a sure way of attracting other otters to the place. If caught young, no animal is more easily tamed, and they may be trained to fish for their master. Though the otter will seldom come to a bait, he is easily trapped, from his habit of coming out of the water generally at the same places. Your trap must be strong, however, and firmly fixed, unless you prefer attaching it to a log, which the poor beast, when caught, drags into the river, and which, floating on the stream, generally drowns him, but surely shows his position. Audubon, who knew the creature's habits well, has painted an otter in the act of gnawing off its leg to liberate itself from a trap.

In Scotland the fox holds the first place among 'vermin.' We do

do not think a mountain-fox would live long before a pack of regular fox-hounds, but certainly in his own country he is as able to take care of himself as his English cousin. What a handsome powerful fellow he is, more like a wolf than a Lowland fox in size and strength! and well may he show such signs of feeding, since his food consists of mutton and lamb, grouse and venison. His stronghold is under some huge cairn, or among the fragments that strew the bottom of some rocky precipice, perhaps three thousand feet above the sea. In those mountain solitudes he does not confine his depredations to the night; we have encountered him often in broad daylight, and through our deer-glass have watched his manner of hunting the ptarmigan, which is not so neat, but appears quite as successful, as the tactics of the cat. By an unobservant eye, the track of a fox is readily mistaken for that of a dog. The print is somewhat rounder, but the chief difference is the superior neatness of the impression, and the exactness of the steps, the hind-foot just covering the print of the fore-foot; compared with the dog's track, there is much the same difference as a back-woodsman distinguishes between the footstep of an Indian and that of a white man. The fox makes free with a great variety of game, and the demands of his nursery require a plentiful supply. In the hills he lives on lambs, sheep, grouse, and ptarmigan; in the low country, the staple of his prey is rabbits, where these are plentiful; but nothing comes amiss, from the field-mouse upwards. The most wary birds, the wood-pigeon and the wild-duck, do not escape him. He destroys a considerable number of the young of the roc. The honey of the wild bee is a favourite delicacy; and vermin-trappers have found no bait more effective to lure him than a piece of honeycomb. His nose is very fine, and he detects the taint of human footstep or hand, for days after it has been communicated. Several ways are tried for evading his suspicions. Some trappers place three or four traps in a circle, and leave them well covered for some days without any bait, and at the end of that time, when all taint must have left the traps, they place a bait in the centre. Another way is to place the traps in shallow water, and a bait on some bank where he cannot reach it without running a good chance of treading on them. Even when the enemy is in the trap, the victory is not won, and if the fox escapes, whether whole or maimed, after being trapped, he is too well warned ever to be caught again. Altogether, trapping has never been very successfully practised against the fox in the Highlands, and the old native practice of 'fox-hunting' is still much preferred.

Of all ways of earning a livelihood, perhaps there is none that requires a greater degree of hardihood and acuteness than the

trade of a vermin-killer in the Highlands—meaning by vermin, not magpies, crows, and ‘such small deer,’ but the stronger and wilder carnivorous natives of the mountain and forest—the enemies of the sheep and lambs. In the Highlands he is honoured with the title of ‘The Fox-hunter;’ but the Highland fox-hunter leads a different life, and heads a different establishment, from him of Leicestershire. You come upon him in some wild glen; and in another country you might start with some misgiving at his personal appearance. He is a wiry active man, past middle age, slung round with pouches and belts for carrying the utensils of his trade; on his head a huge cap of badger-skin, and over his shoulder a long-barrelled fowling-piece. At his feet follow three couple of strong gaunt slow-hounds, a brace of greyhounds, rough, and with a good dash of the lurcher, and a miscellaneous *tail* of terriers of every degree.

Let us borrow a leaf from the same journal which has already been useful to us, describing a successful day with ‘the fox-hunter:’—

‘The fox having been too free with the lambs, the sheep-farmer of the glen has summoned the fox-hunter’s assistance, and I join him with my rifle. Before daylight the fox-hunter and myself, with two shepherds, and the usual following of dogs, are on the ground, and drawing some small hanging birch-woods near the scene of the latest depredations. While the whole kennel were amusing themselves with a marten-cat in the wood, we found a fresh fox-track on the river bank below it, and after considering its direction leisurely, the huntsman formed his plans. The hounds were coupled up, and left to the charge of the two shepherds, whilst we started with our guns for a steep corrie, where the huntsman expected we could command the passes. It was a good hour and half, of a jog-trot, which seemed a familiar pace to my companion. We at length turned off the great glen, and up a small, rapid, rocky burn, tracing it to where it issued through a narrow fissure in the rocks, down which the water ran like a mill-race. Scrambling up to the head of the ravine, we found ourselves in the corrie, a magnificent amphitheatre of precipitous grey rocks. The fox’s favourite earth was understood to be far up on the cliff, and as only two passes could ~~only~~ lead to it, we endeavoured to command them both. My station was high up, on a dizzy enough crag, which commanded one of the passes for a considerable way, and sufficiently screened me from all the lower part of the corrie. I had with some difficulty got to my place, and arranged the best vista I could command while unseen myself, and had a few minutes to admire the wild scene below me. It was a narrow corrie, with a little clear stream twisting and shining through an endless confusion of rugged grey rocks. I had not been placed many minutes when a deep bay reached me down the clear morning air. I listened with eagerness, and soon heard the whole pack in full cry, though at a great distance, and apparently not coming quite in our direction. While watching, however,

however, the different entries to the corrie, I saw a fox come leisurely down a steep slope of loose stones, towards where the huntsman was concealed. Presently he stopped, and quietly sitting down, appeared to listen for the dogs, and, not hearing their cry come nearer, he came quietly and leisurely along, till he had reached the track where we had crossed the corrie, when, cautiously stopping with his nose to the ground, he changed his careless manner of running to a quick canter, halting now and then, and snuffing the air, to find out where the enemy was concealed. Just then, too, the hounds appeared to have turned to our direction, and another fox came in view, entering the corrie to my right hand at a great pace, and making directly towards me, though still at a mile's distance. The first fox had approached within sixty or seventy yards of the huntsman, when I saw a small stream of smoke issue from the rocks, and the fox stagger a little, and then heard the report of the gun. The foxes both rushed down the hill again, away from us, one evidently wounded; when, the echo of the shot sounding in every direction, first on one side of the corrie, then on another, and then apparently on every side at once, the poor animals were fairly puzzled. The wounded fox turned back again, and ran straight towards where the huntsman was, while the other came towards me. He was within shot, and I was only waiting till he got to an open bit of ground, over which I saw he must pass, when the hounds appeared in full cry at the mouth of the corrie by which he had entered. Reynard stopped to look, and stretching up his head and neck to do so, gave me a fair shot at about sixty yards off. The next moment he was stretched dead, with my ball through him, while the other, quite bewildered, ran almost between the legs of my fellow-chasseur, and then turned back towards the dogs, who, meeting him full in the face, wounded as he was, soon caught and slew him. In a short time the whole of our troops, dogs, shepherds, and all were collected, and great were the rejoicings over the fallen foe. I must say, that though our game was ignoble, the novelty of the proceedings, and the wildness and magnificence of the scenery, had kept me both amused and interested. I forget the name of the corrie: it was some unpronounceable Gaelic word, signifying the "Corrie of the Echo."

The eagle is becoming every year more rare, and will at no great distance of time, apparently, be extinct in Great Britain. A few years ago, in Sutherland and the heights of Mar and Athol, one seldom passed a day on the mountains without meeting one or more; now, excepting in some of the islands, and on parts of the north coast, they are rarely seen. Large premiums given by the sheep-farming societies first reduced their numbers; and English gamekeepers and English traps have done the rest. The golden eagle, *aquila chrysaetos*, is the most frequently seen in the Highlands. They build in some recess of a perpendicular rock, overhung by a projecting shelf, and seldom to be reached by human foot; though occasionally in the more unfrequented districts, where there is less risk of being disturbed,

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they inhabit places more easy of access. The nest, which is formed of sticks, the stems and roots of heather, lasts for many years. A slight repair in the spring prepares it for the ensuing breeding-season. The large, strong-shelled eggs, generally three in number, are laid on the sticks without any softer lining. Seldom more than two young ones are brought out. The male eagle assists in the domestic arrangements, and takes his turn of sitting on the eggs. Indeed, if the female is killed, he will take the entire charge of the young or eggs—frequently, however, taking to himself a second mate to assist him. The young birds remain but for a short time with their parents after they have left the nest, and are soon banished from their paternal dominions.

We are accustomed to talk of the eagle as an impersonation of magnanimity and activity, a character which he hardly deserves. He is a greedy, foul-feeding bird, and lazy, until pressed by hunger. With strength of talons and beak to tear open the skin of a camel, he prefers his game kept till it is putrid; and for all his unrivalled strength and quickness of flight, he likes feeding on any carrion better than hunting for himself. If he find a dead sheep, or, his peculiar dainty, a dead and putrid dog, he will gorge himself on his disgusting food till he is hardly able to rise; and more than one instance has come to our knowledge in the Highlands, of an eagle in that situation being knocked down and killed with a stick. His common food in the Highlands consists of dead sheep, and lambs which he can carry off whole to his nest; and when these fail, white hares and ptarmigan. After floods in the mountain torrents, or the breaking up of a snow-storm, the eagle revels on the drowned and smothered sheep. Many a time he makes a substantial meal off some stag, who has carried off his death-wound from the hunter's rifle, to die in the bill. When he has young to bring up, he prefers hunting for live food, and at that season lambs and fawns are the easiest provision to be had. Sometimes, but rarely, he takes grouse on the wing.

Though not the heroic bird he is called, when hungry or acting in defence of his young, the eagle is bold enough to attack anything, as a Highlander still alive can testify. Some years ago, in Sutherland, an active lad, named Monro, stimulated by the premiums offered by a farmers' society, determined to attempt robbing an eagle's nest in his neighbourhood, which appeared to him comparatively easy of access. He took no assistant with him, that there might be no division of the prize-money, and set about scaling the rock alone. Holding on like a cat, by projections of the rock, and some roots of ivy, he had mounted to within a few yards of the nest, and was on the point of reaching it, when the female

female eagle came home, bearing a young lamb in her talons. Instantly, when she saw the intruder, she dropped her game, made a rapid wheel, and attacked him. *Monro* had no firm support for his feet, and was obliged to hold with one hand by a root of ivy. The eagle fixed one talon in his shoulder and the other in his cheek, and thus commenced the battle. *Monro* had but one hand free; to quit his hold of the ivy with the other was to ensure a fall of a hundred feet. In these circumstances of peril, his presence of mind did not forsake him. He remembered what he called 'a bit wee knife' in his waistcoat pocket; this he reached, opened it with his teeth, and with it attacked in his turn the eagle, unable to extricate her talons from his clothes and flesh; and stabbed and cut her about the throat till he killed her. He did not care to carry the adventure farther, but descended, without waiting for the return of the other eagle, faint and half blind with his own blood. It is several years ago, but he carries the marks of the eagle's talons in his face and shoulder to this day.

The deer in the island of *Rum* are said to have been quite extirpated by the eagles; and certainly in no other part of Scotland does one see so many eagles. At present, their principal food must consist of the dead fish cast on the shore.

The male and female eagle assist each other very often in pursuit of their prey, coursing, as it were, the animal, whatever it may be, and turning it from one to the other, like a couple of greyhounds in pursuit of a hare. At other times, wheeling at an immense height in the air, at some distance from each other, in search of dead sheep or other carrion, when one bird has discerned a prize, by a shrill bark-like cry it warns the other. The eagle only soars at a great height when the atmosphere is clear, and the hills free from mist. When rain and fog cover the mountain side, the sportsman or shepherd is frequently startled by the sudden and noiseless appearance of this monarch of the clouds passing quietly past him, at the height of a few feet from the ground. The only notice the bird takes of a person in these rencontres, is to turn his head quickly from side to side, to get a good view of the enemy; and he then passes unconcernedly on.

We doubt very much whether this bird is capable of being tamed or trained for hunting. Their attachment to their keeper and feeder seems to be but uncertain, and liable to interruption on the slightest occasion. But we must hasten to a conclusion.

The interest and occupation of Highland sport, the energy exerted and the difficulties overcome, would be captivating in any country. But we regard it as their chief advantage that they lead
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men necessarily among such scenes as are found only among the Highlands. The mountain precipice, the deep secluded glen, the rushing torrent, the lonely loch, even the bare, desolate moor, each connected with some adventure, fix themselves in the memory, and impart to the most unimaginative something of the ideal that raises a man above what is merely worldly and sordid in the path of life.

It would be painful to think the advantages were all on the side of the sportsman; but while the taste for mountain sport is attracting to the Highlands crowds of young men of fortune, to whom it thus forms not the least important part of their education; their residence and its objects are working an important change on the state of the native population. We have already alluded to the number of hands required by the wealthy occupants of Highland shootings. The superabundant population of the glens, not perhaps well suited for patient and sustained industry, either of agriculture or fishing, was almost of its own nature a population of sportsmen, and the man who had roamed over every foot of the hills as a shepherd, was soon found to make an admirable keeper. It is true he has not yet reached the mystery of dog-breaking, and is apt to undervalue a dog that will not help its master in more than merely *setting* game. But, as a patient watcher on the mountain tops, as the steady attendant of the sportsman in a new region, where it is of much consequence to know the ground and the habits of the game, he is invaluable. His power of mountain travel, his endurance of weather and hardship, and his knowledge of hill game, especially of deer, make the Highlander preferable to an English game-keeper, even if you discount the pleasure of his conversation, which is indeed very different from that of the business-like, matter-of-fact Norfolk keeper. How often have we forgot the length and roughness of the way, and the want of sport, as we listened to a young Celt pouring out the traditions of his native glen, and reaching unconsciously almost to poetry!

By the fortunate accident of the rise of a new fashion, the active lads who, if not required for tending sheep, and unwilling to join their kinsmen in Canada, seemed destined to be driven to poaching or smuggling, are now employed in different grades as assistants of sport, a situation which no Highlander, however averse to other servitude, finds degrading, and which, requiring all and more than all the qualities of a shepherd, is raising a hardy population, with improved intelligence and tastes somewhat beneficially heightened.

It is remarkable that, while a misdirected and sickly passion for preserving game in one end of the island is threatening to bring

bring back some of the mischiefs of the cruel old Norman forest-law, with no commensurate advantages; the same taste for sport, finding a more healthy outlet in the mountains of the north, benefits alike both classes of the community, and is in our estimation productive of unmixed good.

- ART. IV.—1. *Eloge Historique de James Watt*. Par M. Arago, Secrétaire Perpétuel de l'Académie des Sciences. Paris. 1839.
 2. *Address of the Rev William Vernon Harcourt, at the 9th Meeting of the British Association at Birmingham (1839)*;—in the 8th volume of the *Reports of the British Association*.
 3. *Lives of Men of Science of the Time of George III.* By Henry, Lord Brougham, &c. &c. London, 1845. 8vo.

WE took occasion, in our Number for June last, to criticise the Biographies of Men of Letters in Lord Brougham's recent publication: we propose now, in conformity with an intimation which we then gave, to call the attention of our readers to the Biographies of Men of Science included in the same volume—particularly of Black, Cavendish, Priestley, and Watt, as connected with those great discoveries in pneumatic chemistry which terminated in the generalizations of Lavoisier and the other chemists of the French school: and we further propose to examine, in some detail, the claim put forward by M. Arago and others, in favour of Mr. Watt, to the great discovery of the *composition of water*, which Lord Brougham has adopted without modification—notwithstanding the decisive determination which that question had received in the Address of Mr. William Vernon Harcourt and in the documentary and other evidence with which that remarkable Address is accompanied.

In the age which preceded the labours of the founders of modern chemistry, the *phlogistic* theory of Stahl was universally adopted. It assumed the existence of an inflammable principle in all combustible bodies, to which the name of *phlogiston* was given: whose nature was not attempted, in the first instance, to be defined, but which was assumed to be extricated in all processes of combustion and solution, and which produced light and heat by the violent vibration and movement of its particles. The body from which this principle escaped, when no longer capable of supporting combustion, was said to be *dephlogisticated*; conversely, the body of whatever nature, whether solid, liquid, or aerial, with which the phlogiston was combined, or by which it was absorbed, was said to be *phlogisticated*: and it was the absolute identity of this principle or substance, when separated from a combustible

combustible body of whatever kind, which it was one of the chief objects of this theory to establish.

We will endeavour, very briefly, to exemplify the reasoning which Stahl and his followers employed for this purpose.

If phosphorus be burnt in the open air, it gives out light and heat, and is dissipated with a white smoke; but if this process be conducted in a closed vessel, the products of the combustion are collected on its sides, and will rapidly attract moisture from the atmosphere, forming an acid substance called phosphoric acid, and which is considered to be dephlogisticated, or nearly so; but if we proceed to mix it with charcoal powder, and expose it to a strong heat in a glass retort, the phosphorus will be reproduced: and the theory assumes that it is the charcoal which has parted with its phlogiston for this purpose.

Again, if instead of charcoal powder we should employ lamp-black, or resin, or sugar, or even metallic bodies, and subject them severally, under the same circumstances, to the requisite heat, the same phosphorus would be equally reproduced in every case. It was very reasonably concluded, therefore, that it was the same phlogiston which was derived from all those combustible substances, however different in their nature.

A similar succession of phenomena are presented by sulphur. If it be burnt, it forms sulphuric acid; but if the acid thus formed be heated with phosphorus, or charcoal, or coal, or sugar, or even with sulphur itself, it is equally restored to its primitive state.

In all these cases, if one step of the process was granted to be true, the conclusion deducible from the others seemed to be unavoidable. The same effect appeared to be produced, whatever was the source from which the phlogiston was presumed to be derived; and it was thence inferred that the phlogiston, which was thus supplied, was likewise the same principle in all cases.

Metallic bodies also, in the process of calcination or solution, whether by the operation of heat or of acids, presented a series of analogous changes, which were equally calculated to give currency to the same theory.

Thus, if lead be exposed to the requisite heat, it will, in process of time, be reduced to a calx (or oxide) of lead; and if the same lead be placed in concentrated nitric acid, it effervesces violently, and the solution, when evaporated, forms a calx of the same kind: and it was presumed that the same phlogiston is liberated by combustion in one case and by effervescence in the other; but if these calces or oxides are heated again with combustible matters of any kind whatsoever, they are similarly restored to the same metallic state.

But it is in the operation of double affinities that this theory appeared

appeared to receive one of its most striking illustrations. If a plate of iron be placed in dilute sulphuric acid, it dissolves, and its phlogiston escapes with violent effervescence; but if the same plate be immersed in a solution of copper in the same acid, then it is dissolved with little or no effervescence, transferring its phlogiston tranquilly to the calx of the copper, which is precipitated in its pure metallic form.

In the phlogistic theory the metals and other combustible bodies are considered as compound and their calces as simple, the acid in the preceding case supplying simply the medium through which the affinities act, aiding the separation of the phlogiston from the iron, and its absorption by the calx of the copper: but the modern theory of chemistry would reverse the order of these characters and operations,—the acid yielding, under the influence of the predominant affinity, its oxygen to the iron considered as a simple body; and the calx of copper, considered as composed of copper and oxygen, surrendering the second of its constituents to the acid, to replace the oxygen which the iron had absorbed.

If we compare these theories with each other, without reference to the relative weights of the metals and their calces, they appear to be equally clear, simple, and satisfactory: they furnish the same results; the medium through which the operations are conducted remains the same in both cases: they are almost equally applicable to the explanation of the infinite variety of facts which chemical agency in its various forms presents to our observation: and it would be difficult to point out, in the history of the sciences, another equally remarkable example of the absolute parallelism of truth and error.

The balance, however, when once applied in these and similar cases, where the process of combustion or solution does not dissipate the materials subjected to its operation, or where their gaseous and other products are carefully collected and weighed, pointed out a consequence which the phlogistic theory was incompetent to explain: the calces or oxides of metal were heavier than the metals from which they were derived; if the calx therefore differs from the derivative metal simply in the loss of its phlogiston, how was this fact to be explained? Does the separation of phlogiston increase the weight of the body from which it escapes? Does this mysterious substance act in opposition to gravity, or does it produce some change in the physical condition of the body with which it was incorporated by which the absolute gravity of its particles is diminished? Newton had shown, both from *à priori* and *à posteriori* considerations, that the weight of bodies is proportionate to the mass of matter which they contain; and the 'Principia' contains few investi-

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gations which are more refined and beautiful than those by which this very important proposition was established: but chemists were not sufficiently disposed to associate the minuter influences with which they had to deal with the great laws which regulated the movements of the planetary system, and they were little startled with a consequence of their favourite theory, which, if maturely considered, must have been fatal to its truth: even Dr. Black, whose mind had been trained in the strictest habits of inductive philosophy, and who, in his celebrated *Essay on the true cause of the causticity of the alkalies*, had given so remarkable an example of its correct and rigorous application, was never entirely convinced of the accuracy or relevancy of Newton's reasoning on this subject, and did not consider the argument derived from it against the theory of phlogiston as altogether irrefragable.*

It is less our object, however, to state objections to a theory which we know to be false, than to explain the reason why it was so long considered to be true. Much must undoubtedly be attributed to the influence of the persuasion which had completely occupied the minds of the chemists of all nations that the bases of this theory were satisfactorily established, and that it was fully competent to explain the results of chemical action which had been hitherto observed. Even the great theories of Newton in optics and physical astronomy were not accepted by men of science with a more entire and unhesitating faith: Black, Priestley, Watt, and Kirwan in England, Bergman and Scheele in Sweden, Macquer and Morveau in France, not merely acquiesced in its general truth, but warmly defended it: whilst in Germany, the country of its birth, it continued to maintain its empire undisturbed long after it had been elsewhere abandoned as altogether untenable. Cavendish, whose mind had received the most enlarged philosophical training of all the great chemists of his age, whilst he admitted generally its conclusions, cautiously guarded himself against any undue influence which they might exercise upon the character of the deductions which could properly be drawn from his own experiments: it was Lavoisier alone who, from the first opening of his chemical life, struggled with remarkable foresight and undaunted resolution against the principles of the phlogistic theory, when the state of chemical science was not sufficiently advanced to remove very serious objections to his own. It was the great discovery of the

* Black's *Lectures*, by Robison, vol. ii. p. 544. It was in consequence of Dr. Black's doubts on this subject that Dr. Robison repeated Newton's experiments on pendulums with precautions calculated to eliminate any errors which might arise, as had been contended, from uncertainty in the position of the centre of oscillation: it is hardly necessary to say that the results fully confirmed the accuracy of Newton's conclusions. The whole theory has since been made the subject of a most elaborate paper by Bessel in the *Berlin Memoirs*.

composition of water which alone could clear away the difficulties which opposed the establishment of the true theory.

Again, in the first half of the last century, there were in use no means of accurately examining the products of combustion, or of other chemical operations: no proper apparatus had been invented for collecting, keeping, and examining the gases which escaped in such processes, or the volatile materials which are dissipated if not confined. The balance was rarely appealed to, even when its indications could not be vitiated by the intrusion of foreign products: the influence of the agencies of bodies external to those which were the subjects of chemical action, such as the atmosphere, the various acids and solvents, and more especially water, which it was not easy to exclude, had rarely been attempted to be estimated: the doctrine of the latent and specific heat of bodies, so important from its connexion with the conditions of their existence in a solid, liquid, or aerial form, and of their transition from one of those states to another, was altogether unknown: and various as were the processes of manipulation which had been discovered, remarkable as were the new forms of substances which had been produced, vast as had become the collection of facts which the labours of many ages had accumulated, it would be difficult to quote a single process or experiment, more particularly as regards the operations of chemical affinities, whose circumstances were so clear, definite, and unequivocal as was sufficient to form the basis of a true theory, however rigorously it had been examined, and however strictly the just principles of inductive reasoning had been applied to its explanation.

Neither must it be supposed that the first steps of the great series of researches in pneumatic chemistry, which ended in the discovery of the composition of water and the establishment of the new theory, were very manifestly subversive of the old: one of the most important of these was Dr. Black's discovery of the cause of causticity of the alkalies and of the *fixed* air which they contain in their mild state. It formed, as is well known, the subject of an Inaugural Dissertation for his degree of M.D., and which was afterwards extended into a separate Essay. Lime and magnesia, in the form which we now call their *carbonates*, become caustic upon the evolution, by means of heat, of a large quantity of air, which he called *fixed air*, and which is now called *carbonic acid*, and they become mild again by its re-union or reabsorption: this gas is easily collected, and it is the same which is evolved in the combustion of charcoal, in the process of fermentation, and in various other natural and chemical operations: it is the same air which is expired by the lungs, and it constitutes the choke-damp of

of the miners : and in every case its presence is detected by its precipitating lime in its mild form, from water which has been previously impregnated by quicklime ; in other words, it re-converts quicklime into carbonate of lime, and thus leaves the theory of its composition unquestionable.

Lord Brougham, in the account which he has given of this remarkable discovery, has stated in addition, that Dr. Black determined the fixed air of the alkalies to be heavier than common air : that it possessed acid properties : that it was the first example ever given of the evolution of a permanently elastic fluid, differing from common air not merely in some of its properties, but in its essence : that it was the basis and foundation of all subsequent discoveries in pneumatic chemistry.

A more accurate examination of the facts, however, would show that the first of these properties, and perhaps the most important and distinctive of all those connected with it, was the exclusive discovery of Mr. Cavendish in 1766 : that the second was indicated for the first time by Priestley and his fellow-labourers, and only completely established by Lavoisier, who showed fixed air to be carbonic acid, or a combination of oxygen and carbon : it would appear likewise that Hales and others had evolved airs or gases of remarkable properties from various substances both liquid and solid (amongst others the nitrous gas, whose power of diminishing the bulk of atmospheric air Hales had ascertained), leaving it uncertain whether they were compound or simple, or whether their composition was determined by chemical affinity or by the mere admixture of foreign substances with one common and fundamental element, which is the air we breathe. Van Helmont, in the preceding century, had indicated the general identity of the fixed air as evolved from charcoal, or in fermenting liquors, or as it exists in the Grotto del Cane near Naples, under the common name of *gas sylvestre*, and Dr. Black himself informs us that he was directed to the application of his test of the presence of fixed air in some of those products by the hints given in the works of this visionary but sagacious enthusiast.

The question which thence arises is, what constitutes an essential character of one body, whether gaseous, liquid, or solid, as distinguished from every other ? Why should fixed air, which invariably precipitates lime from lime-water, not be a compound of common air with some substance with which it is united or impregnated ? Such was the opinion of Kirwan,* a chemist of great learning and research, founded upon numerous experiments of Dr. Priestley, who maintained that it was separated

* Experiments and Observations concerning the Attractive Powers of the Mineral Acids. Phil. Trans., vol. lxxiii, p. 15.

from common air in the process of phlogistication, and that the diminution of the bulk of the latter, when it is mixed with inflammable air or hydrogen, and exploded in closed vessels by means of the electric spark, was owing to this separation: and so general was the persuasion that this explanation was correct, that Mr. Cavendish felt it necessary to give it a very elaborate refutation in the prelude to his celebrated Paper on the Decomposition of Water: * and though we are by no means disposed to underrate the just influence of the discovery of the cause of the causticity of the alkalies upon the progress of chemical science, yet we believe that Lord Brougham is as much mistaken in his opinion of the extent to which the specific characters of fixed air were determined by means of it as he is in his estimate of its general philosophical importance.

The preceding, however, are not the only serious misstatements which this life of Black contains, more especially as affecting the relations of his discoveries to those of Cavendish. After again enlarging upon the assumed fact that atmospheric air was considered as the only permanently elastic fluid, all others previously known and recognised being only, like steam, temporarily aeriform, Lord Brougham proceeds as follows:—

‘ Once the truth was known that there are other gases in nature, only careful observation was required to find them out. Inflammable air was the next which became the subject of examination, because, though it had long been known, it had only been supposed to be common air mixed with acetous particles. His discovery at once showed that it was, like fixed air, a separate aeriform fluid, wholly distinct from the air of the atmosphere. The other gases were discovered somewhat later. But it is a very great mistake to suppose that none of these were known to Black, or that he supposed fixed air to be the only gas different from the atmospheric. The nature of hydrogen gas was perfectly known to him, and both its qualities of being inflammable, and of being so much lighter than atmospheric air: for as early as 1766 he invented the air-balloon, showing a party of his friends the ascent of a bladder filled with inflammable air. Mr. Cavendish only more precisely ascertained its specific gravity, and showed what Black could not have been ignorant of, that it is the same, from whatever substance it be derived.’—p. 337.

It should be observed that the only record we have of Dr. Black's views and discoveries (the *Essay on quicklime* and the other alkalies excepted) is contained in his *Lectures*, which were published after his death by his friend and pupil Dr. Robison

* Mr. Watt in his *Thoughts on the Constituent Parts of Water* and dephlogisticated Air, which will be more particularly noticed hereafter, considered fixed air a compound of dephlogisticated and inflammable air and heat; so vague and unsettled were the notions which prevailed at that period of the essential differences of permanent airs from each other.

from notes so extremely imperfect and disconnected that the deficiencies were required to be supplied from the MS. notes of some of his pupils, and it is expressly stated that nearly the whole of them were of necessity recomposed: it is a natural consequence of the peculiar origin of this publication, that there are few historical narratives of the progress of branches of research with which Black himself or his friends were concerned, which are not only unauthentic but absolutely incorrect—more especially that which regards the succession of facts of the history of the discovery of the decomposition of water. It is sufficiently remarkable, however, that even in the account which is given by Dr. Black himself, or by his Editor who writes in his name, of the experimental application of inflammable air for air-balloons, he expressly states that it was suggested to him by Mr. Cavendish's discovery of the great levity of this gas, which was published in the Philosophical Transactions for 1766. The singular assumption which follows this statement that Mr. Cavendish merely showed that *this gas is the same, from whatever substance it is derived, a fact of which Dr. Black could not have been ignorant*, would amount to the recognition of a principle which would be subversive of all rights of discovery. There is no evidence whatever, either in his Lectures or derivable from any other source, that Dr. Black possessed any such knowledge, or that he had ever investigated, or even thought upon, the subject.

The great discovery of *latent* and *specific* heat must ever render the name of Dr. Black illustrious in the annals of chemical philosophy: it introduced to our notice new views of the conditions of existence of the same bodies in a solid, liquid, and aerial state, and was eminently calculated to exhibit the wise economy of nature in making provision against sudden and violent transitions from one state of existence to another, introducing *time* as an essential element in all such changes. If water had possessed the same latent heat in its opposite forms of ice and steam, our rivers would have become instantaneously one mass of ice when cooled down to the sensible temperature of 32° Fahrenheit: our kettles would not have boiled but exploded, for water would have been instantaneously converted into steam when it reached the temperature of 212°: the whole framework of the material universe would have been exposed to sudden and uncontrollable changes, which would have been altogether incompatible with its permanence and stability; but the laws of the evolution and absorption of heat which Dr. Black discovered, developed conditions which accompanied such changes which, in most cases, rendered them comparatively gradual, tranquil and safe, and which were also competent to explain the evolution or absorption of heat which is generally more or less observable in all
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chemical changes, and more particularly in those which attend a transition from one form of existence to another.

It is to Mr. Watt, as is well known, that we are indebted for the most important developments of the theory of latent heat, which were made the basis of all his great improvements in the construction of the steam-engine: there is no other example equally remarkable, of the prompt application of a great philosophical truth to the most important improvement of the powers and application of machinery which is to be found in the annals of the arts; there is none which is equally honourable to its author.

It would appear that Lord Brougham was known to Dr. Black through his maternal grand-uncle, Dr. Robertson the historian, and attended his lectures when a student in the University of Edinburgh, a circumstance which may be allowed to excuse a very favourable view of his character and discoveries, though it cannot justify the extraordinary succession of inaccuracies and exaggerations which this sketch of his life contains, a very few only of which we have had occasion to notice. The following account of his style of lecturing, and of the impression which it produced upon his auditors, is in Lord Brougham's best manner:

'It remains to consider him as a teacher; and certainly nothing could be more admirable than the manner in which for forty years he performed this useful and dignified office. His style of lecturing was as nearly perfect as can well be conceived; for it had all the simplicity which is so entirely suited to scientific discourse, while it partook largely of the elegance which characterized all that he said or did. Nothing could be more suited to the occasion; it was perfect philosophical calmness; there was no effort; it was an easy and graceful conversation. The voice was low, but perfectly distinct and audible throughout the whole of a large hall, crowded in every part with mutely-attentive listeners. Perfect elegance as well as repose was the phrase by which every hearer and spectator naturally, and as if by common consent, described the whole delivery. The accidental circumstance of the great teacher's aspect, I hope I may be pardoned for stopping to note, whilst endeavouring to convey the idea of a philosophic discoverer. His features were singularly graceful, full of intelligence, but calm, as suited his manner and his speech. His high forehead and sharp temples were slightly covered, when I knew him, with hairs of a snow-white hue; and his mouth gave a kindly as well as most intelligent expression to his whole features. In one department of his lectures he exceeded any I have ever known—the neatness and unvarying success with which all the manipulations of his experiments were performed. His correct eye and steady hand contributed to the one; his admirable precautions, foreseeing and providing for every emergency, secured the other.'—p. 347.

Important as was undoubtedly the influence of Dr. Black's
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discoveries upon the views of his contemporaries and successors, the real foundation and commencement of accurate researches in pneumatic chemistry must be chiefly sought for in Mr. Cavendish's Paper on Factitious Airs, which appeared in the *Philosophical Transactions* for 1766. Its author brought to bear upon this and similar inquiries an understanding of singular precision and clearness, and trained in the best and most rigorous school of inductive philosophy: he was familiar with nearly every branch of physical science: a great chemist, a great electrician, a magnetist, and a meteorologist: his views of geology, which he had cultivated in company with his friend Mr. Mitchell—the deviser of the great experiment for determining the density of the earth and a philosopher of rare sagacity and power—were greatly in advance of his age, and had led to a very considerable knowledge of the true succession of the strata of Great Britain, founded chiefly upon a consideration of their mineral structure and character, at a period when this science, in other hands, was a prey to the most extravagant theories altogether independent of observation: his knowledge of mathematics was equal, if not superior, to that of any of his countrymen: he was equally learned and skilful as a practical and as a theoretical astronomer: if a comet or a planet, such as Uranus, was observed, it was Mr. Cavendish who calculated its elements: if a great astronomical phenomenon was expected, such as the transit of Venus over the disk of the sun in 1769, it was Mr. Cavendish who discussed the character of the observations to be made, and their results when obtained: his knowledge of the theory and use of astronomical and other instruments was superior to that of any other philosopher of his age, and he was singularly skilful and ingenious in the contrivance and construction of chemical and philosophical apparatus: to all these various accomplishments, he united the most cautious habits of reasoning, and never committed himself to a conclusion which his experiments and observations did not appear fully to justify.

He was, as might be expected from the character of the great family to which he belonged, scrupulously honourable and high-minded; he seemed to have cultivated science for its own sake only, for he was remarkably indifferent to fame, and shrunk, with a morbid sensibility, from the recognition of the public honours which his great discoveries had so justly acquired him: and it was most probably owing to this disposition of his mind that he suppressed many of the most remarkable of his experimental and other researches, which are only preserved in MSS. in the possession of the successor of his name and honours, the present Earl of Burlington.

To return, however, to the remarkable memoir which gave occasion to the preceding observations on the philosophical character of its author.

Mr. Cavendish gave the first example of a properly constructed pneumatic apparatus (whose form was afterwards improved and simplified by Priestley) for collecting, preserving, and transferring the different airs which are generated in chemical processes, for subjecting them to a uniform pressure, and from thence ascertaining their specific gravities by means of an accurate balance. It was this practical improvement, simple as it was, which entirely altered the form in which researches in pneumatic chemistry were subsequently prosecuted.

He determined for the first time the most important properties of inflammable air or hydrogen, and showed that its specific gravity is not more than one-eleventh of atmospheric air: he thoroughly examined also the properties of fixed air, or carbonic acid, and showed its specific gravity to be 1.57, that of common air being 1: he determined approximately the quantities of this air which are contained in given weights of the different alkaline bodies, and also the important fact of its being, as well as the extent to which it is, absorbable by water. He likewise indicated the existence, and pointed out one remarkable property, of *muriatic acid gas*.

He concluded, as the only legitimate inference from his experiments, that *inflammable air* was the true *phlogiston* of the Stahlian theory: for it was apparently the only substance which appeared to be separated from the solutions of zinc and tin in dilute sulphuric or muriatic acid: it was the same substance also that was separated from animal substances by putrefaction, and from vegetable substances by distillation, in which cases no acid was present: it was also entirely inflammable, and it consequently possessed every property which the theory in question assigned to it. It is important to observe, in connexion with remarks which will follow hereafter, that this conclusion was adopted by Mr. Cavendish in all his subsequent memoirs, where inflammable air and phlogiston are always considered as absolutely identical with each other.

Such are the important processes described and conclusions established in this remarkable memoir, which is likewise a perfect model of simple and clear exposition and of correct induction from the facts observed: and though the attention of our readers

* Iron, zinc, or tin dissolved in nitrous acid produce an air of an acid character, which is not inflammable. The phlogiston of the metals was conceived, in these and similar cases, to be united with some portion of the acid base, and to have lost its inflammable character. This hypothesis constituted a very considerable modification of the theory of Stahl, but it made it more generally compatible with the facts then observed.

has been before drawn to the unauthorized attribution of some of these discoveries to another author, they will hardly be prepared for the following statement of its contents which appears in the pages of Lord Brougham :—

‘ The discoveries of Dr. Black on carbonic acid and latent heat appear to have drawn Mr. Cavendish’s attention to the cultivation of pneumatic chemistry ; and in 1766 he communicated to the Royal Society his experiments for ascertaining the properties of carbonic acid and hydrogen gas. He carried his mathematical habits to the laboratory ; and not satisfied with showing the other qualities which make it clear that these two aeriform substances are each *sui generis*, and the same from whatever substances, by whatever processes they are obtained : nor satisfied with the mere fact that one of them is heavier and the other much lighter than atmospheric air,—he inquired into the precise numerical relation of their specific gravities with one another and with common air, and first showed an example of weighing permanently-elastic fluids : unless, indeed, Torricelli may be said before him to have shown the relative weight of a column of air and a column of mercury : or the common pump to have been long ago compared in this respect air with water. It is, however, sufficiently clear that neither of these experiments gave the relative measure of one air with another : nor, indeed, could they be said to compare common air with either mercury or water, although they certainly showed the relative specific gravities of the two bodies, taking air for the middle term or common measure of their weights.’

It is not easy to accumulate, within so short a compass, so many errors of fact and reasoning. Mr. Cavendish did not prove that inflammable airs are the same, by whatever processes or from whatever substances they are derived : he did not assume, but was the first to prove, that fixed air was heavier, and the inflammable air, which was afterwards called hydrogen, was much lighter than atmospheric air : he was not the first to weigh or to determine the specific gravity of a permanently elastic fluid ; the weight of a given bulk of common air having been determined by Galileo, Otto Guericke, and with considerable accuracy by Hawksbee, to whose determination Mr. Cavendish himself refers in an elaborate Note to the very Memoir under consideration. The relative weights of a column of equal length and capacity of air and of mercury, or of air and of water, are not involved in the Torricellian experiment, or in that of a common pump ; nor is there any sense in which the specific gravity of common air can be considered, in connexion with them, as a middle term or common measure of those of mercury and water. We fear that it would not be safe to pursue the examination of this singular passage farther, as it might lead our readers to impute to Lord Brougham an ignorance of some of the most elementary principles of natural philosophy, if they were not fortified against such a conclusion

a conclusion by a knowledge of his various critical and other labours, during more than half a century, in almost every branch of literature and science.

It is difficult, however, to refer to a single page of the scientific part of Lord Brougham's volume, which does not present some similar example of inaccuracy of statement or of reasoning, the result, as we are inclined to believe, of a rapidity of composition, and a neglect—we had almost said a contempt—of original authorities, which is equally fatal to philosophical correctness and historical truth: of this kind is the account which he has given of the object proposed, and the process followed, in Mr. Cavendish's celebrated experiment for determining the density of the earth:—

'It was,' says he, 'about ten years after the conclusion of his chemical labours, that he (Mr. Cavendish) engaged in some important experiments upon the force of attraction. It occurred to him that he could measure that force, and thereby ascertain the density of the earth, by accurately observing the action of bodies suddenly exhibited in the neighbourhood of a horizontal lever nicely balanced, loaded with equal leaden balls, of a small size, at its two ends, and protected from all aerial currents by being enclosed in a box. In that box a telescope and a lamp were placed, that the motions of the lever might be carefully observed. On approaching the external leaden balls made use of, whose diameter was eight inches, to the small ones enclosed and near the lever, it was found that a horizontal oscillation took place. This was measured; and the oscillation caused by the earth on a pendulum being known, as well as the relative specific gravities of lead and water, it was found, upon a medium of his observations, that the earth's density is to that of water as eleven to two.'—*Lives*, &c., p. 442.

We had prepared a commentary upon this extraordinary exposition of a well-known experiment, but those of our readers who are familiar with the original memoir (which will form a lasting monument of the mathematical and philosophical powers and practical skill of its illustrious author) will probably think we have exercised a sound discretion in suppressing it. It is difficult to conceive a more ingenious and entire distortion, not merely of nearly every step in the process itself, but likewise of nearly every principle involved in it.

But to return to the chemical labours of Mr. Cavendish.

Between the publication of this memoir and those on the composition of water and of nitric acid in the years 1784 and 1788, he continued to prosecute his chemical researches with a success proportionate to his great skill and accuracy in devising and executing experiments and his cautious habits of reasoning upon the legitimate conclusions to which they lead. Amongst his published papers is one on the Rathbone-place waters, which gave the first example of the accurate analysis of mineral waters, and which was also

also important as showing the conditions under which the salts of lime and magnesia (their *bicarbonates*) are held in solution by them: another is upon the *eudiometer* of Fontana, an instrument which Priestley originally invented, but which received great improvements in his hands, and enabled him to determine the proportion of oxygen in the atmosphere and in its mixture with other gases with extreme accuracy, and thus to disprove the plausible inferences which the less cautious observations, of Dr. Priestley and Dr. Ingenhouz had given rise to, that the oxygen in the air we breathe exists in variable proportions in different localities, and was a proximate cause of their healthiness or unhealthiness. His perfect command of this instrument (for it required to be skilfully and cautiously used) contributed in no slight degree to the successful prosecution of many of his most important subsequent researches.

But Mr. Cavendish's published Papers during this period are of much less importance than those which existed in MSS. only, before the appearance of the Appendix to Mr. Harcourt's address, where abstracts of several of them are printed, and some of them entire. In the year 1765, when Dr. Black's discoveries on latent heat scarcely extended beyond the students of his class at Glasgow, we find him, says Mr. Harcourt, with no other information respecting them than the report of a single fact,* deducing all the laws of the *generation and destruction of heat* from an independent and elaborate series of experiments which the world has never heard of, including the determination of the specific heats of a variety of substances, such as wax, spermaceti, and mercury, with various other metals and metallic alloys. The heat generated by condensing the vapour of steam is shown to be 952° , a very remarkable approximation to the result (so important in the theory of the steam-engine) which was subsequently established by the laborious researches of Watt. The heat produced by thawing snow was shown to be 150° , the result given by Black being 140° . These remarkable experiments preceded by sixteen years the first published notice of Dr. Black's discoveries on this subject, which was given by Wilcke in the Stockholm Transactions for 1781.

Another MS. containing 'Experiments on Arsenic,' written in 1765, and in a form prepared for publication, showed that he had anticipated Scheele by sixteen years in the discovery of the *acid of arsenic, its relation to the oxide and regulus, and in the complete examination of its salts*; and it further appears from a Paper upon which was written 'Communicated to Dr. Priestley,' that he first

* That, 'in distilling waters or other liquors, the water in the worm-tub is heated thereby much more than it would be by mixing with it a quantity of boiling water equal to that which passes through the worm.'

distinguished nitrogen from the other kinds of unrespirable and incombustible gases, and proved by experiment that atmospheric air consists of two parts, one of which in the combustion of charcoal is converted into fixed air, whilst the other is a mephitic gas sui generis. This discovery, one of the most considerable in the history of chemistry, is authenticated by the reference made to it by Priestley in his paper on 'Airs' in the Philosophical Transactions for 1772, though the conclusions which it contains are, as was not uncommon with that author, incorrectly stated. He had prepared likewise a fourth part to his paper on 'Factitious Airs,' containing experiments on the airs produced by distillation from animal and vegetable substances, such as hartshorn shavings, wainscot, and tartar, which were found to yield inflammable air of a kind altogether different, both in specific gravity and explosive power, from the hydrogen or inflammable air which he had examined in his first paper.

It could hardly be expected that Lord Brougham, after the specimen which we have ventured to quote of his scientific criticisms on other labours of Mr. Cavendish, should condescend to notice these remarkable researches; and we accordingly find that they are passed over altogether without observation, however important they may be in the estimate which a careful biographer would form of his scientific character. It is quite true that a material distinction should be made between contemporary and posthumous claims to discoveries, unless the latter are supported by the most unquestionable documentary or other authority; and in no case should the rights of prior publication be disputed, unless what was thus made public can be clearly shown to have been in some degree consequent upon a knowledge of the antecedent labours of some other person not so prompt to lay his researches and discoveries before the world. The application of this principle, which is one of primary importance in the history of inventions and discoveries, would assign to Mr. Cavendish the honour of having first ascertained the compound constitution of the atmosphere, and also of one, at least, of its constituents: but it would confer upon him no claim to a participation in the honour which must for ever be awarded to Black and to Watt for their discoveries in latent and specific heat.

Before we proceed to the consideration of the next great epoch in the scientific life of Mr. Cavendish, the discovery of the decomposition of water and of the consequences to which it led, let us briefly recall the attention of our readers to some of the accessions which the science of pneumatic chemistry received from other labourers.

One of the most remarkable of these was Dr. Priestley, whose researches

researches were devoted almost exclusively to the chemistry of the gases. Their results are recorded in six volumes of 'Experiments and Observations on different kinds of Airs,' which were published between 1775 and 1786, and which appear to have enjoyed an uncommon degree of popularity. They are written in a light and agreeable style, detailing his successes and his failures with equal candour and openness, and laying open his entire chemical mind to the observation of his readers. He was very ingenious in devising experiments, and dexterous in his manipulations; and though the processes which he followed and the means which he had at his command were generally insufficient to secure that minute and rigorous accuracy which is equally necessary for the establishment of great truths and the exclusion of great errors, yet it may be safely asserted that few persons have contributed so great a number of valuable facts to the science of chemistry. He affected no profound philosophical views, and the character of his mind was altogether unequal to them; he generally adopted at once the most obvious conclusions which his experiments appeared to justify, and he modified or abandoned them upon further investigation with almost equal facility. On one point only was his philosophical faith perfectly stable and unalterable: he was an entire believer in the truth of the phlogistic theory, and invariably expressed all his conclusions in its language. No facts, however stubborn and inexplicable, could shake the sincerity of his convictions of its truth, and he continued to maintain and defend it to the end of the century, when it had been abandoned as untenable by every other chemist of eminence in Europe.

The most considerable discovery of Dr. Priestley was oxygen gas, which he denominated *dephlogisticated* air, it being assumed that the two constituents of the atmosphere are distinguished by the separation of phlogiston from one of them and its union with the other, which was therefore denominated *phlogisticated* air. He investigated many of the most important functions of this air in the vegetable and animal kingdom, and even in the process of combustion, with great ingenuity and success;—and his happy application of its union with nitrous gas to form nitrous acid to the construction of the eudiometer, enabled him and Mr. Cavendish not merely to separate it from other gases with which it might be mixed, but likewise to test its presence and to estimate its quantity—a most important process in analytical chemistry when applied to an element which presents itself so constantly in chemical products. It would be foreign to our present purpose to attempt to enumerate in detail the various discoveries and researches of Dr. Priestley: they formed a storehouse of facts which contemporary chemists

chemists of great eminence, such as Kirwan and Watt, were accustomed to refer to as a common stock, from whence to deduce the bases of their theories and reasonings.

It may be doubtful, however, whether, beyond a certain point, the science of chemistry was much advanced by the multiplication of these experiments; for there were few of these processes in which water was not present, and which was decomposed into oxygen and hydrogen, the first of which was united to metallic or other bases, and the second was separated and dissipated, when not confined:* whilst in others the hydrogen which was presented in the course of the experiment, combined with oxygen derived from other sources, forming water, and thus escaping notice in the result. It was this perpetual appearance and disappearance of hydrogen in chemical experiments—when the source from which it was derived was altogether unsuspected and unknown—which enveloped many results in a mystery which it was impossible to penetrate; but it seemed generally to confirm the conclusion, which Mr. Cavendish had from the first adopted, that hydrogen, or inflammable air, was the real phlogiston of the popular theory. Priestley was disposed to adopt this view, though many facts seemed to contradict it.† Kirwan,‡ as we have already said, strenuously defended it, though at the sacrifice which it required of the simple character of many of the gases: whilst Mr. Watt,§ at the same time that he appeared to acquiesce in the arguments of Dr. Priestley, was compelled to combine with it other conclusions of a still more vague and unsatisfactory character.

Lavoisier had, in the meantime, been diligently preparing the bases of another theory, which was consistent with the balance, at least, if it was not competent, in the existing state of chemical knowledge, to satisfy other difficulties. The appearance and disappearance of hydrogen was equally embarrassing to the views which he advocated and to those which he opposed; and it would thus appear that the final decision of the great question in dispute must necessarily remain in abeyance until the great discovery of the composition of water was destined to give the

* Hydrogen appeared in many experiments of Dr. Priestley to be separated from metals, such as zinc, tin, or iron, by heat alone; but in all such cases it was shown by Mr. Cavendish that there was water present in some form, which was decomposed. In another experiment, which excited great attention from its apparently decisive character, a stream of hydrogen, burnt by the burning lens, in closed vessels and in contact with the calces of metals, restored them to their metallic state: the phlogistic theory asserted that the hydrogen, which was the real phlogiston, was restored to the metallic calces: the correct theory, which succeeded it, derived the oxygen from the metallic calces, which, uniting with the hydrogen, formed water, when both of them were lost sight of: in the absence of a knowledge of the composition of water, the first explanation was the most plausible.

† Priestley on Air, vol. vi. sect. i.

‡ Philosophical Transactions, vol. lxxii., 1782.

§ Ibid., vol. lxxiv., 1784.

death-blow to the theory of Stahl, which, with slight modifications had so long formed the exclusive doctrine of the chemical world.

It would be unjust, however, when speaking of the discoveries of Priestley and Lavoisier, to suppress the fact that many of the most important of them were made contemporaneously and independently by Scheele of Upsala, a chemist who is justly celebrated for the various processes which he invented, and for his valuable labours in the chemistry of the acids. His work on 'Air and Fire' was published in 1777, and determined, amongst a great multitude of other important facts, the compound constitution of the atmosphere, and the principal properties of its two constituent airs. He further showed, as Lavoisier had already done, though without a knowledge of the fact, that oxygen, which he called *empyrean air*, is contained in the calces of metals, and that it is disengaged when they are reduced to a metallic state. The concurrence of all these remarkable discoveries clearly showed that a great crisis in chemical science was immediately impending.

In stating and discussing the facts connected with the great discovery of the composition of water, we shall avail ourselves largely of the assistance afforded by the Address delivered by Mr. Harcourt at the meeting of the British Association at Birmingham in 1839, and the Appendix of documents derived from the Cavendish MSS. by which it is accompanied. It would, indeed, be difficult to refer to any example of a discussion of an important point of scientific history which is superior to this in clear and powerful argument, in thorough knowledge of the subject in dispute and of all its relations to chemistry and other sciences; and, we may add likewise, in the eloquent and forcible, yet temperate expression of a just indignation at an attempt, not merely to impugn the right to a great discovery, which had hitherto been almost universally recognised, but likewise to cast a slur upon the personal honour of a philosopher which had been previously considered as altogether unimpeachable.

Dr. Black, Mr. Watt, and the chemists of their school, had been accustomed to treat heat, in opposition to the opinion of Newton, which Mr. Cavendish preferred, as a material emanation; and some persons conceived that it would tend to remove some difficulties from the phlogistic theory if heat could be shown to be ponderable, as well as material. It was with this view that Mr. Warltire, a lecturer on chemistry at Birmingham, proposed to explode a mixture of hydrogen and common air in closed vessels, as Volta had done, and to weigh the vessel and its contents in a delicate balance before and after the explosion, allowing sufficient time for the heat to evaporate. "The experi-

ment

ment was tried in the presence of Dr. Priestley in April, 1781, when moisture was found to be deposited on the sides of the vessel (which was attributed to water held in mechanical solution by air), and a sensible loss of weight was observed. The same experiment was repeated by Dr. Priestley with mixtures of oxygen and hydrogen, and the results were stated to be similar, and to lead to the same conclusion. It is hardly necessary to observe that when the experiment was repeated by Mr. Cavendish, with more careful manipulation and a more sensible balance, no loss of weight was observed: in other words, the matter of heat, if it be material, was not proved to be ponderable.

Mr. Cavendish at once saw the other important uses to which this experiment was applicable. He was in possession of the means, as we have already seen, not merely of detecting the presence of oxygen, when mixed with other gases, but likewise of determining, to considerable accuracy, the amount of the impurity. The explosion, therefore, of mixtures either of common or of dephlogisticated with inflammable air, in closed vessels, where all external influences are excluded, would enable him to examine the products of combustion, or of *phlogistication*, as it was termed, of whatever nature they might be, and to assign the cause of the diminution of the bulk of the air which was always observable in such processes. The experiments were begun in July, 1781, and were continued during that and the following month; and they are recorded in his manuscripts from day to day, with every circumstance attending them, and with great minuteness of detail. He began with exploding mixtures, in various proportions, of common and inflammable air, and he found that in all cases the bulk of the common air was diminished, and a dew deposited on the sides of the vessel, which was pure water; and when two measures of inflammable were exploded with five of common air, all the inflammable air was consumed, and the common air was diminished by about one-fifth of its bulk; and as he had previously ascertained that this was the greatest diminution which the bulk of common air could experience from any process of phlogistication, or, in other words, that such was the extreme amount of the oxygen which common air contained, he concluded that the remaining air was phlogisticated air (nitrogen or azote) only. The dew collected was found to be pure water, and no observable loss of weight was experienced on weighing the vessel before and after the explosion.

The volumes of oxygen and hydrogen which were condensed into water in this experiment were nearly as one to two; and he next proceeded to explode mixtures of oxygen (derived from various sources, in the purest form in which he could produce it) and hydrogen

hydrogen in this proportion. The gases were almost entirely condensed by the explosion, but the dew, when collected, was not, as might have been expected, pure water, but sensibly acid to the taste, the acid being nitric acid: thus when 37,000 grain measures of hydrogen and 19,500 of oxygen were exploded together, all the air was condensed except 2950 grain measures; and about 30 grains of fluid were produced, which gave by saturation with fixed alkali and subsequent evaporation as much as two grains of nitre.

This result was embarrassing. If pure water, and pure water only, was derived from the explosion of hydrogen and common air, in which oxygen was contained, and in which the oxygen alone was consumed, why was it not derived, *a fortiori*, when the azote of the atmosphere was excluded, and the combining elements of oxygen and hydrogen were exploded in their just proportions with each other? Whence came the small portion of nitric acid which presented itself in this case, and what were the circumstances which determined its formation? The inquiry to which the solution of this difficulty led was continued during the remainder of this and the following years, and terminated in a discovery only second in importance to that of the composition of water, namely, that nitrogen or the azote of the atmosphere (the phlogisticated air of Priestley) was the basis of nitric acid. In the mean time the experiments "on the reconversion of air into water by decomposing it in conjunction with inflammable air,"* were communicated to Dr. Priestley, a fact which is distinctly acknowledged by the latter.

In repeating these experiments with oxygen and hydrogen, derived from different sources, and in examining the residual air which remained after the explosion, he found reason to conclude that the appearance of nitric acid was due to impurities which they contained, and that if these airs could be obtained perfectly pure and exploded in a just proportion with each other, they would form pure water only. This suspicion was confirmed by increasing gradually the quantity of nitrogen or azote,† which led to an increase of the quantity of the nitric acid produced; but if the quantity of nitrogen was increased in a still greater proportion, so as to approach the constitution of common air, the heat produced by the explosion was so much diminished as to be incompetent to determine the formation of nitric acid. In all such cases it was pure water only which was the product of the explosion.

He likewise found that by passing the electric spark repeatedly

* Experiments on Air. Phil. Trans., vol. lxxiii, p. 414. Reprinted in Experiments on Air, vol. vi., p. 29.

† This experiment was made in January, 1783.

through a mixture of atmospheric air and oxygen, confined in a bent glass tube by columns of mercury and soap lees, nitric acid was formed, which, uniting with the soap lees, formed nitre. The process was slow and tedious, and failed of success when repeated by Van Marum in Holland, and by Lavoisier and Monge in France. It was in consequence repeated three times, with great care and labour, under Mr. Cavendish's own directions, before a committee of the Royal Society, when the correctness of the result was fully established. The account of this experiment formed the last chemical paper which Mr. Cavendish ever published.*

The brief account which we have given of this memoir, incomparably the most important which had appeared in the 'Philosophical Transactions' during the last century, would give a very imperfect notion of its merits. It embraces nearly all the great points of chemical theory which agitated the chemical world: it corrects the vague notions to which the later experiments of Priestley and the reasonings of Kirwan had given currency, and by which the different gases were derived from each other by phlogistic processes, thus tending to subvert all distinct conceptions of their distinct and incommunicable characters: it points out also the causes of the frequent appearance and disappearance of hydrogen or inflammable air in chemical operations, which had equally embarrassed the advocates and the opponents of the phlogistic theory: and after proposing a modification of that theory, which made it generally reconcileable with the more prominent results of chemistry as far as they had been at that time observed, he reviews with great candour the opposite views which Lavoisier had put forward,* admitting them to be equally admissible with his own; but it is sufficiently remarkable, that he points out muriatic acid as offering an insuperable objection to the adoption of oxygen as the sole principle of acidity, an exception to its application which the discoveries of Davy and others have fully confirmed: nothing can illustrate more strongly the clearness and precision of his chemical ideas.

Having given our own view of the facts connected with the history of the discovery of the composition of water, we shall now proceed to consider the claim which has been advanced by M. Arago, with his usual boldness and contempt of the general consent of ages, in favour of Mr. Watt. Nothing can come from the pen of this distinguished writer which is not entitled to great consideration—but we believe, in the present instance, few persons will be disposed to adopt his conclusions. His statements, the principal of which we subjoin, are, as we shall endea-

* Philosophical Transactions, vol. lxxviii., p. 261. 1788.

vous to show, a tissue of false facts, false inferences, and false insinuations.

‘Le monde physique compte des volcans qui n’ont jamais fait qu’une seule explosion. Dans le monde intellectuel il est, de même, des hommes qui, après un éclair de génie, disparaissent entièrement de l’histoire de la science. Tel a été Warltire, dont l’ordre chronologique des dates m’amène à citer une expérience vraiment remarquable. Au commencement de l’année 1781, ce physicien imagina qu’une étincelle électrique ne pourrait traverser certains mélanges gazeux, sans y déterminer des changemens remarquables—une idée aussi neuve, qu’aucune analogie ne suggérerait alors, et dont on a fait depuis de si heureuses applications, aurait, ce me semble, mérité à son auteur que tous les historiens de la science voulussent bien ne pas oublier de lui en faire honneur. Warltire se trompait sur la nature intime des changemens que l’électricité devait engendrer. Heureusement pour lui il prévint qu’une explosion les accompagnerait. C’est par ce motif qu’il fit d’abord l’expérience avec un vase métallique dans lequel il avait renfermé de l’air et l’hydrogène.

‘Cavendish répéta bientôt l’expérience de Warltire. La *date certaine* de son travail (j’appelle ainsi toute date résultant d’un dépôt authentique, d’une lecture académique ou d’une pièce imprimée) est antérieure au mois d’Avril, 1783, puisque Priestley cite les observations de Cavendish dans une mémoire du 21 de ce même mois. La citation, au surplus, ne nous apprend qu’une seule chose : c’est que Cavendish avait obtenu de l’eau par la détonation d’un mélange d’oxygène et d’hydrogène, résultat déjà constaté par Warltire.

‘Dans son mémoire du mois d’Avril, Priestley ajouta une circonstance capitale à celles qui résultaient des expériences de ses prédécesseurs ; il prouva que le poids de l’eau qui se dépose sur les parois du vase au moment de la détonation de l’oxygène et de l’hydrogène, est la somme des poids de ces deux gaz.

‘Watt, à qui Priestley communiqua cet important résultat, y vit aussitôt, avec la pénétration d’un homme supérieur, la preuve que l’eau n’est pas un corps simple. “Quels sont les produits de votre expérience?” écrivit-il à son illustre ami : “de l’eau, de la lumière, de la chaleur. Ne sommes-nous pas, dès lors, autorisés à en conclure que l’eau est un composé des deux gaz, oxygène et hydrogène, privé d’une partie de leur chaleur latente ou élémentaire ; que l’oxygène est de l’eau privée de son hydrogène, mais uni à de la chaleur et à de la lumière latente?”

“Si la lumière n’est qu’une modification de la chaleur, ou une simple circonstance de sa manifestation, ou une partie composante de l’hydrogène, le gaz oxygène sera de l’eau privée de son hydrogène, mais unie à la chaleur latente.”

‘Ce passage si clair, si net, si méthodique, est tiré d’une lettre de Watt du 26 Avril, 1783.—*Eloge de J. Watt*, p. 80.

Let us pause for a moment for the purpose of examining the preceding paragraphs.

It is obvious, in the first place, that M. Arago was absolutely ignorant of the design, the result, and of every circumstance connected with the experiment of Mr. Warrtore: the precaution which he congratulates him upon having taken was found to be unnecessary, inasmuch as he ascertained that the explosion could be safely made in a glass globe: the merit also of firing gases in close vessels by the electric spark was not due to him but to Volta, as appears by his letter to Dr. Priestley, which is published in the Appendix to the 3rd volume of his *Observations on Airs*.

In the second place, the *capital* experiment of Dr. Priestley in April, 1783, was the mere repetition of that which was communicated to him by Mr. Cavendish, and, as he himself states, made under circumstances which could not justify the conclusion he draws from it: there is no mention made by him of the proportion of the quantities of oxygen and hydrogen which he exploded, or of the residual air, or of the appearance of acid in the water produced;* he says that he had no accurate balance, and no means, beyond a very rough estimation, of determining the relation between the weight of the liquid produced and of the airs which were exploded together; and even the source from whence one at least of his airs was derived, was not such as was competent to give it the purity requisite for producing the result which he assigned to his experiment. But even if we should allow it to have been original—and there are no sufficient grounds for believing it to have been so—it can only be regarded as one of that multitude of vague and inaccurate experiments which present themselves in his later writings, and which, in the existing state of pneumatic chemistry, tended, as we have before remarked, to encumber rather than advance the progress of the science.

Again, the MS. notes of Mr. Cavendish's experiments made in 1781, which Mr. Harcourt has lithographed, furnish,—notwithstanding the restriction imposed by M. Arago upon the character of documents which may be with safety and justice appealed to in establishing claims to scientific discoveries,—the best evidence

* In a paper in the 81st volume of the Philosophical Transactions, 1791, he asserts that in all his experiments an acid liquor was produced, and he doubts whether pure water was ever produced by the explosion of oxygen and hydrogen.

Mr. Harcourt has remarked that Dr. Priestley states that he obtained his inflammable air from *distillation of well-burnt charcoal*, which, as is well known, could not produce pure hydrogen, but hydrogen and carbonic oxide in nearly equal volumes: the result of the experiment which Dr. Priestley quotes must therefore have been derived from his recollection of that which Mr. Cavendish had communicated to him. 'Still hearing,' says Priestley, 'many objections to the conversion of water into air, I now gave particular attention to an experiment of Mr. Cavendish's concerning the re-conversion of air into water, by decomposing it in conjunction with inflammable air.' Mr. Cavendish states expressly that he communicated all his experiments made in the summer of 1781 to Dr. Priestley, except those relating to the formation of nitric acid, concerning which his own views were not settled.

of the precise character of facts which are publicly referred to in contemporary and undisputed records; for it is utterly incredible, considering the position of their author, and the circumstances under which they appear, that they could have been fabricated for the purpose of giving currency to a claim at a future period which could not otherwise be supported; and it will be found that they contain the explicit statement of every experiment which was necessary to determine the composition of water. Mr. Cavendish publicly asserts that all these experiments were communicated to Dr. Priestley: Dr. Priestley publicly acknowledges that such a communication had been made to him; and though he was in daily and confidential intercourse with Mr. Watt, he never impugned the assertion thus made. Is it probable then, if the communication made to Dr. Priestley had been less explicit and ample than Mr. Cavendish stated it to be, that it would have remained undisputed or unexplained when the great importance of the discovery announced in it was fully recognised and understood?

Again, Dr. Priestley's paper, to which Mr. Watt's letter was, in the first instance, appended,* was read on the 19th of June, 1783, and in the abstract of its contents, made by the secretary, Dr. Maty, in the Minute Book of the Royal Society, which was publicly read, in conformity with the invariable custom in such cases, at the succeeding meeting on the 26th of the same month, we find the following passage:—"These arguments received no small confirmation from an experiment of Mr. Cavendish, tending to prove the reconversion of air into water, in which pure dephlogisticated air and inflammable air were decomposed by an electric explosion, and yielded a deposit of water equal in weight to the decomposed air."† It is quite manifest, therefore, that even if the nature and the results of Mr. Cavendish's experiments were not, as is most probable, already well known to men of science in England at that period, they must have become so by the announcement thus made. Dr. Priestley himself likewise states that Mr. Cavendish told him, when this paper was read, he was persuaded that water was essential to the production of the inflammable air in the experiments from which he had concluded it to be pure phlogiston:‡ an observation which proves, in the most de-

* To the title of this paper, which is preserved in the archives of the Royal Society, there is added "with a Letter from James Watt, Esq.:" it appears that Mr. Watt's letter, which was designed to form an Appendix to Dr. Priestley's paper, was withdrawn before that paper was read: the reason assigned by Mr. Watt, in his letter to the President, for withdrawing it, was, that "some of his friends considered the hypothesis propounded in it too bold."

† Quoted by Mr. Harcourt in his Address.

‡ 'Experiments on Air' (vol. vi. p. 87).

cisive manner, that Mr. Cavendish was not only fully in possession of his theory of the composition of water, but also of its application to the explanation of those anomalies in the appearance and disappearance of inflammable air which had so much embarrassed Dr. Priestley and the other chemists of that age. It will be seen hereafter that Mr. Watt's theory totally failed in its application to the explanation of these and similar facts.

We have given M. Arago's version of the form in which Mr. Watt announced his inference from the experiment whose result had been reported to him by Dr. Priestley: we will now copy Mr. Watt's own words from his Paper entitled 'Thoughts on the constituent parts of Water and of dephlogisticated Air, with an Account of some Experiments on that subject,' which was communicated to the Royal Society in November, 1783:—

'Let us now consider what usually happens in the case of the deflagration of the inflammable and dephlogisticated air. These two airs unite with violence, they become red-hot, and on cooling totally disappear. When the vessel is cooled, a quantity of water is found in it equal to the weight of the air employed. This water is then the only remaining product of the process, unless there be some other matter set free which escapes our senses. Are we not then authorized to conclude that water is composed of dephlogisticated air and phlogiston, deprived of part of their latent or elementary heat: that dephlogisticated or pure air is composed of water deprived of its phlogiston, and united to elementary heat and light: and that the latter are contained in it in a latent state, so as not to be sensible to the thermometer or the eye; and if the light be only a modification of heat, or a circumstance attending it, or a component part of the inflammable air, then pure or dephlogisticated air is composed of water deprived of its phlogiston and united to elementary heat?'—*Phil. Trans.*, vol. lxxiv. p. 329.

It will be observed that M. Arago, in his translation of this passage, replaces the terms *inflammable air* and *phlogiston* by *hydrogène*, and thus expresses the theory in the definite and unequivocal language of modern chemistry: and it may be urged in justification of this substitution, that Mr. Watt professes generally to be convinced by the arguments of Mr. Kirwan and Dr. Priestley, that inflammable air is either wholly pure phlogiston, or at least that it contains no apparent mixture of any other matter. Mr. Watt adds, however, that *in his opinion it contains a small quantity of water and much elementary heat*. He was disposed, in common with the other philosophers of his school, to regard heat as material, and to invest it with the capacity of combining with substances like other material elements, and of becoming the basis of those sensible qualities by which bodies are

permanently distinguished from each other;—thus dephlogisticated air, in his theory, is composed of water deprived of its phlogiston and united to elementary heat. In a passage which immediately follows the preceding, he asserts, upon the authority of some experiments of Dr. Priestley—sufficiently remarkable for the great number of false conclusions which were founded upon them—that *dephlogisticated* air and *phlogiston* can unite in certain degrees to form, not water, but *fixed air*, whilst under other circumstances they can also unite and form neither water nor fixed air, but *phlogsticated* air. We quote these passages in order to prove that, in the theory propounded by Mr. Watt, heat was considered as a combining substance, not merely modifying the form and conditions of existence of the elements with which it was combined, but determining likewise their permanent specific qualities. Such a theory, in the form which these conditions assign to it, was calculated to perpetuate the worst errors of the phlogistic school: it was not only incompetent to account for the anomalies which the later observations of Dr. Priestley had introduced, but it tended to explain away the only important consequences which Mr. Cavendish and Lavoisier were equally prompt to deduce from the primary result of the experiment;—it reinstated the phlogistic theory in its most vague and inconclusive form.

Again, Dr. Priestley further states * in the memoir to which we have before referred, that Mr. Watt had previously mentioned to him a notion which had been suggested to his mind by some observations on the working of the steam-engine, that water or steam might have its constitution changed and converted into permanent air, if it could be made red-hot, so that its latent might be changed into sensible heat: and it is obviously the same conception which was subsequently engrafted upon his theory of the composition of water, which we are now considering. It is difficult to conceive a notion more essentially and fundamentally erroneous, or more calculated to subvert all our notions of the permanence of the essential characters of bodies, by making them dependent upon the form and degree of the manifestation of an element, which is altogether incapable of being chemically appreciated.

If this view of Mr. Watt's theory be correct—and after the most careful perusal of his paper we can give it no other meaning—it is hardly necessary to say that M. Arago's interpretation of it is altogether erroneous; and that it formed a retrograde rather

* Experiments relating to the seeming conversion of water into air. Phil. Trans., vol. lxxxiii. p. 416.

than a forward movement in the march of chemical science. It is most probable, however, judging from internal evidence, that neither M. Arago nor Lord Brougham have ever read this or any other original scientific document connected with this controversy. Mr. Watt's paper in the 'Philosophical Transactions,' the only one he ever published (for there are others of his unpublished papers in the archives of the Royal Society), is singularly obscure, and perfectly unintelligible to any reader who is not familiar with the experiments and speculations of Dr. Priestley, the most remarkable of whose errors he has incorporated in the applications of his theory; presenting in this respect a singular contrast to the corresponding memoir of Mr. Cavendish, who clears away, at every step of his progress, the difficulties and anomalies, whose correct explanation was dependent on this theory, which had been accumulated in the experiments and the reasonings of his predecessors and contemporaries.

But if, instead of adopting the unprofitable and worthless form of the theory of the composition of water proposed by Mr. Watt, we should assume it to be expressed in the clear and definite language assigned to it by M. Arago, upon what grounds could he claim the title of its discoverer? The chemist who first made the fundamental experiment, and showed, what was no easy task, that the explosion of definite proportions of oxygen and hydrogen, under whatever names they appeared, produced pure water and pure water only, equal in weight to the gases consumed, had already announced all that the most elaborate theory could furnish. Mr. Cavendish fully appreciated, from the beginning, the character and the value of the result which he had obtained, and required no theory to guide him to the interpretation of its meaning; and when Dr. Blagden communicated the details of these experiments to Lavoisier, neither the one nor the other conceived that the addition of any theoretical views were necessary to make its importance understood. We can discover, in fact, hardly an experiment or observation of primary importance in the history of the science which is more immediately and indissolubly connected with the theoretical inference deducible from it.

We know that in expressing this opinion we are opposed to the authority of M. Arago:—

'Dois-je craindre,' says he, 'd'avoir attaché trop d'importance à la théorie que Watt imagine pour expliquer les expériences de Priestley? Je ne le pense pas. Ceux qui refuseraient un juste suffrage à cette théorie, parce qu'elle semble maintenant une conséquence inévitable des faits, oublieraient que les plus belles découvertes de l'esprit humain ont été surtout remarquables par leur simplicité. Que fit Newton, lui-même,

même, lorsque répétant une expérience déjà connue quinze siècles auparavant il découvrit la composition de la lumière blanche? Il donna de cette expérience une interprétation tellement naturelle, qu'il paraît impossible aujourd'hui d'en trouver une autre. Tout ce qu'on tire, dit-il, à l'aide de quelque procédé que ce soit, d'un faisceau de lumière blanche, y était contenu à l'état de mélange. Le prisme de verre n'a aucune faculté créatrice. Si le faisceau parallèle et infiniment délié de lumière solaire qui tombe sur sa première face, sort par la seconde en divergeant et avec une longueur sensible, c'est que le verre séparé ce qui dans le faisceau blanc était, par sa nature, inégalement réfrangible. Ces paroles ne sont pas autre chose que la traduction littérale de l'expérience connue du spectre solaire prismatique. Cette traduction avait, cependant, échappé à un Aristote, à un Des Cartes, à un Robert Hooke.'

It may be quite true that the highest generalizations of one age become the elementary truths of another, and that it requires an intimate knowledge of the precise conditions of opinion which prevail at every successive period of scientific history, to be able to form a just conception of the difficulties which embarrass or prevent those advances in the march of invention and discovery, which appear to us most open and unopposed. We are not disposed, however, to consider the interpretation of the memorable experiment referred to by M. Arago as presenting a parallel case to the one under consideration. It may be admitted—even without invoking the very apocryphal authority of Aristotle—that the formation and succession of the prismatic colours were perfectly well known before the time of Newton: but *who* before his time (though the acute historical vision of M. Arago will probably not fail to discover them) had taken the precautions requisite for forming the prismatic *spectrum* itself—for accurately defining the spaces which the successive colours occupied—for subjecting the successive colours themselves to a similar analysis, and thus determining their undecomposable character—and, finally, as an *experimentum crucis*, reversing the problem and reforming white light from the reunion of the colours into which it had been previously decomposed? If the successive steps of these beautiful experiments had been submitted to Des Cartes or to Hooke, it is most probable that they would not have hesitated to give them their correct interpretation: and though M. Arago, with all the lights of modern knowledge, and with the vigorous grasp with which he is accustomed to seize the great truths of philosophy and to resolve them into the most simple principles upon which they are dependent, may be enabled to translate the single experiment of the formation of the prismatic spectrum, as in the passage we have quoted, into its appropriate language, yet we greatly doubt whether either Newton or the most distinguished of his predecessors would have been equally successful

ful if the subsequent experimental steps in the process of investigation had never been made.

But the question may be asked, if Priestley had been put, as has been asserted, into possession of all the early experiments of Cavendish, why did he hesitate to draw the correct and necessary conclusion from them? Whilst we are ready to admit the full force of the objection, we should observe, as we have indeed remarked before, that Priestley's mind was not disciplined to habits of correct inductive reasoning: he seldom appreciated the philosophical value of views which were different from his own, and when called upon to notice them, he rarely stated them correctly: he was embarrassed by his blind attachment to the phlogistic theory, and still more so by the real or apparently contradictory results of his own experiments: and though he himself states, in the first instance, that Mr. Cavendish had pointed out the influence of water in many of these experiments, and had then, it seems, satisfied his mind upon the correct interpretation to be given to them, yet we find his philosophical scepticism speedily recurring; and in his later papers he is equally disposed to impugn the correctness of these results, whether obtained by Mr. Cavendish or himself (the capital experiment to which M. Arago so often refers being 'included in their number'), as well as of the explanation which had been given of them.

Again, the theory of Watt, which was framed, as we have shown, not to correct the errors, but to reconcile the results of the experiments of Priestley by the sacrifice of the permanent character of the gases, was not, on that account, received by him with greater favour. He appears to have rejected it from the first, equally with that of Mr. Cavendish. M. Arago himself has quoted a passage from a letter to Mr. Watt, dated the 29th of April, 1783, three days after their joint papers had been sent to the Royal Society, in which he says—'Look, with surprise and indignation, upon the drawing of an apparatus by which I have for ever upset your beautiful hypothesis;' and though we find indications, in Priestley's subsequent writings, of an occasional and passing belief in the prevalent theories of the composition of water, yet it appears that he speedily relapsed into his *normal* condition of fixed and determined incredulity.

But to return to M. Arago and his argument:—

'Une théorie,' says he, 'dont la conception n'eût présenté aucune difficulté, aurait été certainement dédaignée par Cavendish. Rappelez-vous avec quelle vivacité, sous l'inspiration de cet homme de génie, Blagden en réclama la priorité contre Lavoisier.'

The name of Mr. Cavendish seems to exert a fatal influence both upon M. Arago and Lord Brougham: it rarely presents
itself

itself without giving rise to some extraordinary error of fact with one of them, and of philosophy with the other. It was not the theory of the composition of water, but the extent to which the results of the experiments upon which it rested had been communicated to Lavoisier, which was the subject of the *reclamation* made by Dr. Blagden on behalf of Mr. Cavendish.

Though we are fully satisfied, for the reasons above stated, that no arrangement of dates could give countenance and support to the claim to this discovery which has been so imprudently put forward by the friends of Mr. Watt, we think it proper, in order that our readers may be enabled to estimate the force and relevancy of the remaining observations of M. Arago, to subjoin the following brief statement of the real chronology of the principal documents which are concerned in the dispute.

On the 26th of April, 1783, Mr. Watt wrote a *letter* to Dr. Priestley, containing an outline of his theory, which was appended to his paper entitled 'Experiments relating to Phlogiston and the seeming conversion of water into air,' which was read to the Royal Society on the 19th June following: this *letter*, however, was not read, having been previously withdrawn by its author; and if we may judge from modern practice, it remained, in the mean time, locked up in the private box of the Secretary (Dr. Maty, not Dr. Blagden, as asserted by M. Arago), for no paper is deposited in the archives of the Royal Society until it has been publicly read, and its fitness for publication decided upon by the Council; there is no reason, therefore, to believe that the contents of this letter were made known to Mr. Cavendish, to Dr. Blagden, or to any other person.

The substance of the first letter was incorporated into a second addressed to M. de Luc, which is dated 26th of November, 1783, but which was not read before April, 1784: it was published in the Transactions for 1784. Mr. Cavendish's paper was read on the 15th of January of that year, and published in the same volume.

It further appears that Dr. Blagden communicated the result of Mr. Cavendish's experiments on the composition of water to M. Lavoisier, at Paris, on the 24th of June, 1783, two months after the date of Mr. Watt's first letter to Dr. Priestley; and it is the principal object of the documentary evidence and of the inferences drawn from it, which Lord Brougham communicated to M. Arago, to show that *during this short interval Mr. Cavendish made his first experiments, which either had been or might have been suggested to him, by his obtaining, through private information or public report, a knowledge of the theory propounded by Mr. Watt.* It is hardly necessary to add that either supposition would equally lead

lead to the conclusion that Mr. Cavendish, in the statements which he authorized or made, had been guilty of a deliberate suppression or a misrepresentation of the truth; and, we may further add, to the necessary inference that the MS. papers which Mr. Harcourt has lithographed, had been fraudulently prepared with erroneous dates, with a view to give countenance to his claims, in case they should ever be called in question.

But to return to the further statements of M. Arago :

‘ Parmi les prétendants à cette féconde découverte, nous allons maintenant voir paraître les deux plus grands chimistes dont la France et l’Angleterre se glorifient. Tout le monde a déjà nommé Lavoisier et Cavendish.

‘ La date de la lecture publique du mémoire dans lequel il développa ses vues sur la production de l’eau par la combustion de l’oxygène et de l’hydrogène, est postérieure de deux mois à celle de dépôt aux archives de la Société Royale de Londres de la lettre déjà analysée de Watt.’

M. Lavoisier’s memoir was not read in June, 1783, but partly in the November and partly in the December of that year, and additions were subsequently made to it. We have already stated that Mr. Watt’s letter was not deposited in the archives of the Royal Society, so as to be accessible to its members.

‘ Le mémoire célèbre de Cavendish, intitulé *Experiments on Air*, est plus récent encore; il fut lu le 15 Janvier, 1784. On s’étonnerait avec raison que des faits aussi authentiques eussent pu devenir le sujet d’une polémique animée, si je ne m’empressais de signaler à votre attention une circonstance dont je n’ai pas encore parlé. Lavoisier déclara, en termes positifs, que Blagden, Secrétaire de la Société Royale de Londres, assista à ses premières expériences du 24 Juin, 1783, et “ qu’il lui apprit que Cavendish ayant déjà essayé, à Londres, de brûler du gaz hydrogène dans les vaisseaux fermés, avait obtenu une quantité d’eau très sensible.”

‘ Cavendish rappela aussi dans son mémoire la communication faite à Lavoisier par Blagden. Suivant lui, elle fut plus étendue que le chimiste Français ne l’avouait. Il dit que la confiance embrassa les conclusions auxquelles les expériences conduisaient, c’est-à-dire, la théorie de la composition de l’eau.

‘ Blagden, mis en cause lui-même, écrivit dans le Journal de Crell, en 1786, pour confirmer l’assertion de Cavendish. A l’en croire, les expériences de l’académicien de Paris n’auraient même été qu’une simple vérification de celles du chimiste Anglais. Il assure avoir annoncé à Lavoisier que l’eau engendrée à Londres avait un poids précisément égal à la somme des poids de deux gaz brûlés... “Lavoisier,” ajouta enfin Blagden, “ a dit la vérité; mais pas toute la vérité.”

‘ Un pareil reproche est sévère; mais fut-il fondé, n’en atténuerai-je pas beaucoup la gravité, si je montre que, Watt excepté, tous ceux dont les noms figurent dans cette histoire s’y étaient plus ou moins exposés?

‘ Priestley rapporte en détail et comme les siennes des expériences dont

il résulte que l'eau engendrée par la détonation d'un mélange d'oxygène et d'hydrogène, a un poids exactement égal à celui des deux gaz brûlés. Cavendish, quelque temps après, réclame ce résultat pour lui-même, et insinue qu'il l'avait communiqué verbalement au chimiste de Birmingham.

'Cavendish tire de cette égalité des poids, la conséquence que l'eau n'est pas un corps simple. D'abord, il ne fait aucune mention d'un mémoire déposé aux archives de la Société Royale et dans lequel Watt développait la même théorie. Il est vrai qu'au jour de l'impression le nom de Watt n'est pas oublié; mais ce n'est pas aux archives qu'on a pu voir le travail du célèbre ingénieur: on déclare en avoir eu connaissance par une lecture récente, faite en séance publique. Aujourd'hui, cependant, il est parfaitement constaté que cette lecture a suivi plusieurs mois, celle du mémoire où Cavendish en parle.'

If this statement was correct, which we have elsewhere shown to be altogether erroneous, it would be to Dr. Priestley, and not to Mr. Cavendish or Mr. Watt, that we should be compelled, in strict justice, to ascribe the credit of this discovery; but it is sufficiently manifest, both from the admissions of M. Arago and the whole course of the transactions, that the grand result of the experiment of the production of pure water equal in weight to that of the two gases consumed, was already perfectly well known to chemists in England, whoever was the person by whom it was first ascertained; and further, that it was publicly referred to, as a notorious fact, in a minute read by the Secretary of the Royal Society of London almost on the very day on which it was communicated by Dr. Blagden to Lavoisier at Paris. Dr. Blagden would therefore have been equally wanting both to the interests of truth and of his patron and friend Mr. Cavendish, if he had failed to state to M. Lavoisier the whole result of the experiment; if he had simply told him, that *some* water only was produced by the combustion of the gases, *omitting the most essential fact that its weight was exactly equal to that of the gases, or that the whole of the gases consumed were converted into pure water*, he would have understated the claim of his countryman, and would have opposed the very interests which it was his object and his duty to protect. There is, therefore, the strongest probability in support of Dr. Blagden's statement; and it should be remembered that, though it deeply affected Lavoisier's veracity (and this was not the only instance in which that was similarly impugned), *it was never contradicted*.

There are several other inaccuracies in the preceding statement, some of which we have already noticed: Dr. Blagden was not at that time Secretary of the Royal Society; Mr. Watt's paper was not deposited in the archives—it was accessible neither to Mr. Cavendish nor to Dr. Blagden,—and its existence was probably altogether unknown to them; the public reading of Mr. Watt's paper

was

was subsequent to that of Mr. Cavendish, but preceded its publication by several months, so as to admit of a reference to the theory which it contained.

We will not attempt to scrutinize the remaining observations of M. Arago, which have reference to this subject; for though they are equally inaccurate with those which precede them, and profuse in charges against Mr. Cavendish, Dr. Blagden, and even the printers and compositors of the 'Philosophical Transactions,' as all equally involved in a conspiracy to deprive Mr. Watt as well as Lavoisier of their fair rights, they are really altogether foreign to the great points which are at issue.*

There is one department of evidence, of the most important kind, to which M. Arago has not alluded, which is the decision of contemporary chemists and philosophers, who were living witnesses of the progress of these researches. It is quite true that M. Arago has referred to a letter of M. de Luc, who had seen a copy of Mr. Cavendish's paper in its original form, in which he made no reference to Mr. Watt's theory, and of whose existence he was probably, at that time, altogether ignorant. Mr. Watt was stimulated, by the appeal thus made to him, to take the necessary steps for the public reading and immediate publication of his paper, and it appeared accordingly in the same volume of the 'Philosophical Transactions' with that of Mr. Cavendish. We may safely conclude that upon a question of such importance, which concerned so nearly the scientific credit of two of the greatest men of the age, every circumstance connected with it would be thoroughly canvassed and understood. And what was the result? The assertions contained in Mr. Cavendish's paper respecting the dates of his experiments, and the extent to which they were communicated to other parties, remained uncontradicted at a period when an erroneous statement, publicly made, could not have failed to be noticed; and he was universally regarded, and has continued to be regarded, as the sole author of this great discovery; it was only in later times that attempts have been made to upset this unanimous decision in his favour, when there are no living witnesses to the impressions which prevailed amongst his contemporaries.

'Lord Brougham,' says M. Arago in a note at the conclusion of that portion of his Eloge of Mr. Watt which refers to this controversy

assistait à la séance publique où je payai, au nom de l'Académie des

* The separate copies of Mr. Cavendish's paper, which were designed for distribution, were dated 1783 instead of 1781: as soon as the error was discovered, Mr. Cavendish wrote to the editor of one of the principal foreign journals to correct it; this is put forward as a serious charge by M. Arago.

Sciences, ce tribut de reconnaissance et d'admiration à la mémoire de Watt.

‘De retour en Angleterre, il recueillit de précieux documens et étudia de nouveau la question historique à laquelle je viens de donner tant de place, avec la supériorité de vues qui lui est familière, avec le scrupule, en quelque sorte judiciaire, qu'on pouvait attendre de l'ancien Lord Chancelier de la Grande-Bretagne. Je dois à une Bienveillance dont je sens tout le prix, de pouvoir offrir au public le fruit encore inédit du travail de mon *illustre confrère*.’

Our readers might possibly expect that this careful study of the historical question, and this scrupulous and judicial examination of the documents connected with it, would have led to the detection in the first instance, and the friendly correction afterwards, of some at least of the numerous errors of fact and inference which we have considered it our duty to expose. Such, however, is not the course which Lord Brougham adopts; he examines no documents, he corrects no errors—but thinks it sufficient to give the sanction of his name to a statement drawn up by Mr. James Watt, the son of the great engineer, which is not perfectly correct in the general outline of its facts, and is singularly partial and unjust in the conclusions which it deduces from them. Lord Brougham seemed to have forgotten that much might be pardonable in the fondness of a son which would be highly reprehensible in one exercising the function of a judge.

The singularly elaborate analysis of this question which has been given by Mr. Harcourt, and the new and decisive documents by which it was accompanied, would appear to have offered his lordship a graceful opportunity of retiring from a position which he should have felt to be untenable. But let us hear Lord Brougham:—

‘Since M. Arago’s learned Eloge was published, the Rev. W. Vernon Harcourt has entered into controversy with us both, or I should rather say with M. Arago, for he has kindly spared me; and while I express my obligations for this courtesy of my reverend, learned, and valued friend, I must express my unqualified admiration of his boldness in singling out for his antagonist my *illustrious colleague*, rather than the far weaker combatant against whom he might so much more safely have done battle. Whatever might have been his fate had he taken the more prudent course, I must fairly say (even without waiting until my fellow-champion seal our adversary’s doom) that I have seldom seen any two parties more unequally matched, or any disputation in which the victory was so complete. The attack on M. Arago might have passed well enough at a popular meeting at Birmingham, before which it was spoken; but as a scientific inquirer, it would be flattery, running the risk of seeming to be ironical, to weigh the reverend author against the most eminent philosopher of the day, although upon a question of evidence

dence (which this really is, as well as a scientific discussion) I might be content to succumb before him.'—*Lives*, &c., p. 400.

We trust that the time is past when a mere sarcasm, by whomsoever uttered, can suppress the claims of truth and justice, which Mr. Harcourt has advocated with most exemplary temperance. We feel assured that Mr. Harcourt is the last person who would seek to put his claims as a writer and a man of science in the same rank with those of M. Arago, though there are very few amongst the most distinguished of our countrymen whom, in either capacity, we should pronounce to be his superiors; and it is only when M. Arago foregoes the high position which the scientific world has assigned to him, and consents, from an unhappy ambition, to put forward views on subjects connected with scientific history which may startle by their novelty or singularity, or gratify a feeling of national vanity, which is sometimes too watchful and too jealous to be always reasonable and just, that it becomes a public and imperative duty to withstand him. We quite agree with Lord Brougham that rarely were two parties more unequally matched, as far as this controversy is concerned, than Mr. Harcourt and M. Arago; but we should venture to reverse the position which he has assigned to the combatants, as we believe there are few men of science who will doubt with whom is the issue of the contest; and we should do little justice to the manliness and candour of M. Arago, if we considered him incapable of acquiescing in a conclusion, though opposed to his own, which he finds to be supported by arguments and by documents so powerful and so convincing as those which Lord Brougham ventures to toss aside with a sneer.

ART. V.—*Lettres, Instructions, et Mémoires de Marie Stuart, Reine d'Ecosse; publiés sur les originaux et les manuscrits du State Paper Office de Londres, et des principales archives et bibliothèques de l'Europe, et accompagnés d'un résumé chronologique par le Prince Alexandre Labanoff.* 7 vols. 8vo. Londres, 1844.

LET it no longer be said that the age of chivalry has passed. We have here a Russian nobleman of high birth, who served with distinction in the campaigns of 1812, 1813, and 1814, attaining the rank of Major-General and of Aide-de-camp to the Emperor Alexander. But since the peace with his country's enemies he has, like a true knight-errant, sallied forth on adventures of his own. According to the best precedents of the Round

Table.

Table, he has selected a princess whom he has never seen for the lady of his love; he has devoted himself to her service for many years and travelled in her cause from land to land; until now, when armed with documents as with a shield of proof, he is prepared to maintain her peerless innocence, and to strive in *champ clos* against all gainsayers!

Seriously speaking, however, we think Prince Alexander Labanoff entitled to our warm thanks and hearty praise for the care, the application, and the skill with which he has elucidated the history of Mary Queen of Scots. For a long period he has spared neither expense nor exertion in the discovery of her MS. correspondence. The archives of the House of Medici at Florence, and the Imperial collection at St. Petersburg, the *Bibliothèque Royale* at Paris, the State Paper Office in London, and a great number of private collections both in this country and on the Continent, each examined not through agents, but by his own personal research, have all yielded materials to his meritorious and never-weary industry. The result is, that to the 300 letters of Queen Mary which were already in print, though scattered through various compilations, he has added no less than 400 hitherto unpublished, and all these, old and new, with several from other persons relating to her history, he has edited together in seven volumes, appending a chronological summary and suitable notes—so long that they sufficiently explain, so brief that they never encumber, the text.

It could scarcely, perhaps, be expected that all this zeal and research should be unattended with some degree of enthusiasm in behalf of its object. Prince Labanoff believes that Queen Mary was entirely innocent of the heavy charges which were brought against her. This opinion, though never argued at length nor obtruded in any of the notes, is implied in several, and a separate Essay in proof of it is promised us before the close of the present year. We shall read that Essay whenever it appears with all the attention which the character and attainments of the writer deserve, though not without being on our guard against his prepossessions. Meanwhile we must declare that while several things in this collection confirm, there is nothing to shake or alter the view which we have formerly maintained on this much debated subject.* We still hold that *via media* which, as we think, combines in its support all the principal arguments from both extreme parties—that Mary ~~was~~ innocent of any participation in, or knowledge of, her husband's murder; but, both before and after it, was swayed by a guilty passion for Bothwell.

* No. cxxxiv., Article 1.

After the length at which we argued these questions on a recent occasion, our readers will no doubt be better pleased if we do not take them again over the same ground. We shall now advert only to another controverted point, which appears to us of considerable interest.

Prince Labanoff admits,* without hesitation, the statement that Queen Mary, when sent to the castle of Lochleven, in June, 1567, was with child by Bothwell, and that in February, 1568, she gave birth to a daughter, who was immediately removed to France, and became a nun at the convent of Notre Dame at Soissons.

Considering the marriage of Mary to Bothwell, in May, 1567, it is obvious that her character is in no way affected by this tale, whether true or false. On this point, therefore, Prince Labanoff's prepossessions in her favour have no force, and the judgment of so well-informed and laborious an inquirer deserves, as we think, the greatest weight. His assent to this tale has led us to inquire the grounds on which it rests; and we shall now state what appear the testimonies in its favour, as well as the negative presumptions which may be raised against it.

The statement rests mainly on the direct assertion of Le Laboureur in his additions to the *Mémoires de Castelnau*, and will be found at vol. i. p. 673, of the edition of 1659. Le Laboureur himself is a writer of great research and accuracy. He is described by M. Weiss in the *Biographie Universelle* as 'l'un des écrivains qui ont le plus contribué à éclaircir l'histoire de France.' And as Prince Labanoff reminds us, he held a post of high confidence at the Court of France (*Conseiller et Aumônier du Roi*), and might become acquainted with many, until then very secret transactions. But if we believe, as appears most probably the case, that Le Laboureur derived the story from the MS. notes and papers left behind by Castelnau, the evidence in its favour will appear stronger still. Michel de Castelnau, Seigneur de Mauvissière (by which latter name he was commonly known during his life), had accompanied Mary as French Ambassador to Scotland. In 1575 he was appointed French Ambassador in England; and, as appears from Prince Labanoff's collection, became one of Mary's most frequent and most trusted correspondents. He says himself in his *Mémoires*, 'Elle est encore prisonnière sans pouvoir trouver moyen d'en sortir qu'à l'instant il ne survienne quelques nouvelles difficultés, lesquelles ont pour la plupart passé par mes mains.†'

It appears also that in the course of his diplomatic and poli-

* Vol. ii. p. 63, note.

† Vol. xxxiii. p. 357, in the collection of Petitot.

tical services he had occasion to make many journeys through the north of France, and he might not improbably in one of them have seen himself, at Soissons, the unhappy offspring of a most ill-omened and most guilty marriage.

There is, however, a remarkable confirmation of Le Laboureur's story, wholly unknown to Le Laboureur when he wrote, and not published until a century afterwards. It is contained in a secret despatch from Throckmorton, the English Ambassador in Scotland, to his Queen, and will be found in the Appendix to Robertson's History; under the date of July 18th, 1567. It appears that the Ambassador had transmitted by a secret channel a proposal to Mary at Lochleven, that she should renounce Bothwell for her husband. But he adds in his report to Elizabeth, 'She hath sent me word that she will rather dye, grounding herself upon thys reason that takyng herself to be seven weekes gon with chylde, by renouncynge Bothwell she should acknowledge herselfe to be with chylde of a bastard, and to have forfayted her honoure, which she will not do to dye for it.'

Nor can it, on examination of the circumstances, be maintained that this answer was only a device of Mary to evade compliance. She must have foreseen that, as really happened, the renouncing of Bothwell would be again and again pressed upon her, and that if her first reason against it should, after some short interval, appear to be invalid, she would then be unable to take a stand on any other ground.

The concurrence of two such testimonies as Le Laboureur's in France and Throckmorton's in Scotland—each entitled to high confidence, and each without the slightest knowledge of the other—would probably on most questions be considered as decisive. In this case, however, we have to set against them a strong *primâ facie* presumption on the other side—the utter silence as to this 'child at Soissons' in all the correspondence of the period—the utter silence, first, of Mary herself; secondly, of all her friends; and thirdly, of all her opponents.

We propose to consider, under each of these heads, whether any sufficient ground for such silence can be assigned.

1. Mary herself had few opportunities of writing from her prison of Lochleven. Even the industry of Prince Labanoff is compelled to leave an utter blank between Sept. 3rd, 1567, when Mary wrote to Sir Robert Melville, desiring him to send stuffs for clothes for herself and 'my maidens, for they are naked;' and March 31st, 1568, when we find two notes, one to Catherine de' Medici and the other to the Archbishop of Glasgow, entreating speedy succour, and adding, 'je n'ose écrire davantage.' There are two other short notes from Lochleven, on the day preceding her

her escape, one to Catherine de' Medici, and one to Elizabeth. In none of these could we expect to find any allusion to her pregnancy or to the birth of her child.

There is no letter at all from Mary during the hurried fortnight which elapsed between her escape from Lochleven and her arrival in England, except a few lines of doubtful authenticity, dated from Dundrennan, and addressed to Queen Elizabeth, which we think Prince Labanoff has too hastily admitted.* This note, however, in no degree bears upon the present question.

Within a very few weeks of her captivity in England, Mary became convinced of the horror with which her union with Bothwell was universally regarded. She consented, at the conferences of York, that steps should be taken for the dissolution of her marriage and for the contracting of another with the Duke of Norfolk. From that time forward, therefore, we need not wonder that her letters should contain no allusion to the pledge of an alliance which that pledge might, if known, render more difficult to dissolve, and which she knew was most hateful to all her well-wishers, whether in France, in England, or in Scotland.

2. The same horror of this alliance and of its results may be thought an adequate motive for silence in such few of Mary's relatives or friends in France as must be supposed cognizant of the birth and existence of her daughter.

3. Of Mary's enemies, the first in power at this period was her illegitimate brother, the Earl of Murray, the Regent of Scotland. During a long time he professed a tender regard for his sister's reputation, and several times warned her against urging him to the public accusation, which he made at last on December 8th, 1568. It is therefore perfectly consistent with his professions and with his position, that he should in February, 1568, have taken steps for the concealment of Mary's childbirth, and the sending of the infant to her relatives in France. After December, 1568, there could no longer indeed be the slightest pretence to personal kindness and regard. But surely the chances of the Royal succession would then supply him with another and much stronger motive for concealment. In case the life of James VI.—a boy not yet three years old—should fail, Mary's daughter, if the marriage with Bothwell were legitimate, would become the next heir to the Crown. A most perplexing question as to the strict validity of that marriage, and as to the rights of the true heir, would then arise. It seems probable, therefore, that in such

* The authority he cites for it is only 'Marie Stuart, Nouvelle Historique,' Paris, 1671. Moreover, the note from Dundrennan is not alluded to in the, certainly authentic, letter which Mary addressed to Elizabeth from Workington only two days afterwards.

a contingency Murray and his associates in the secret had resolved to deny absolutely the fact of the birth or the existence of the infant. The same motive for the greatest possible secrecy would have weight all through the life of the nun at Soissons, but would cease at her death. And thus the same consideration would serve to explain both the silence observed during so many years, and the disclosure at last in Le Laboureur's annotation—always supposing the secret to have been confined, both in Scotland and in France, to extremely few and trusty persons.

We offer these conjectures, as in our minds greatly diminishing, though not, we admit, entirely removing, the force of the objections against the story. And on the whole, looking to the positive testimonies in its favour, we certainly incline, with Prince Labanoff, to a belief in its truth.

There is nothing new in these volumes relative to the deathbed declaration of Bothwell. The discovery of the original, or of an authentic copy, is still among the *desiderata* of literature: of its real existence, as we have elsewhere stated, we do not entertain a doubt. We looked for some information on this subject in the 8th volume of Mr. Tytler's History, published since our review of his 7th, but to our great surprise he gives no account whatever, so far as we can find, of the end of Bothwell. We know not how to explain such an omission in so minute a history and so careful a writer. Of Mr. Laing's Dissertation no passage is more open to reply than the one in which he cavils at the Earl's dying confession. 'These names,' he says, 'are apparently fictitious. I believe there is no such town or castle as Malmay either in Norway or in Denmark.*' This is literally true. But was it quite candid to omit the equally certain fact that, in 1575, the province of Scania, on the continent of Sweden, was an appendage of the Danish Crown, and that the citadel of Malinay or Malmoe, not indeed in Denmark Proper, but in Scania, nearly opposite the coast of Copenhagen, was the place where Bothwell was confined?

We may add that we have doubts whether Bothwell's confinement in Denmark was so strict and rigorous as most histories allege. Such a statement appears scarcely compatible with the following expressions of a letter from Queen Elizabeth to the King of Denmark in 1570:—

'De Bodovellio vero nos antea ad Serenitatem vestram, ut de certissimo Regis sui interfectore, scripsimus Quare confidimus quidem certè (quod tamen a Serenitate Vestra iterum atque iterum summopere rogamus) Comitem tanti facinoris reum in carcere et vinculis arcte custodiri, vel certe quod malumus, magisque petimus, e.

* History of Scotland, vol. ii. p. 338, note, ed. 1819.

carcere ad iudicium subeundum, ad eum locum in quo scelus admissum sit missum iri; neque enim certe Regi honorificum esse potest Regis interfectorem solute et libere vagari et impune vivere.*

Nor are we by any means confident in the common story that Bothwell on his imprisonment became insane. We suspect that this tale may have been devised with the view of discrediting his deathbed confession; at least, so far as we remember, it is not mentioned by any writer until several years after Bothwell's death, and until the discrediting his statement had become a party object: yet so remarkable a fact as his insanity, which would be commonly held forth as a special judgment of Providence against an atrocious criminal, was not very likely, even in his lifetime, to remain unnoticed.

We shall now quit this thorny field of controversy, and enable our readers to judge for themselves of the merits of Prince Labanoff's Collection, by laying before them some of the letters it contains. Of those which we insert in French, we shall give the words exactly according to the originals, but shall endeavour to render them more easily intelligible by substituting the modern for the quaint old-fashioned form of spelling.

The following is a report of Le Croc, the French ambassador in Scotland, to Queen Catherine de' Medici: it is dated *Sunday*, May 18th, 1567, and the preceding *Thursday* to which he refers, was the very day of Mary's marriage to Bothwell:—

'Madame, les lettres que j'écris à V. M. par le dit Evêque (*de Dunblane*) sont pour être lues; vous pouvez penser que je ne me fie à lui. Quoique je vous écrive, Vos Majestés ne sauraient mieux faire que de lui faire mauvaise chère et trouver bien mauvais le mariage, car il est très-malheureux, et déjà l'on n'est pas à s'en repentir. Jeudi Sa Majesté m'envoya quérir, où je m'aperçus d'une étrange façon entre elle et son mari: ce qu'elle me veut excuser, disant que si je la voyais triste, c'était parce qu'elle ne voulait se réjouir, comme elle dit ne le faire jamais, ne désirant que la mort. Hier, étant renfermés tous deux dedans un cabinet avec le Comte de Bothwell, elle cria tout haut que on lui baillât un couteau pour se tuer. Ceux qui étaient dedans la chambre l'entendirent; ils pensent que si Dieu ne lui aide qu'elle se désespérera. Je l'ai conseillé et confortée de mieux que j'ai pu ces trois fois que l'ai vue. Son mari ne la fera pas longue, car il est trop haï en ce royaume, et puis l'on ne cessera jamais que la mort du Roi ne soit sue. Il n'y a ici pas un seul seigneur de nom, que le dit Comte de Bothwell et le Comte de Craffort; les autres sont mandés, et ne veulent point venir. Elle a envoyé qu'ils s'assemblent en quelque lieu nommé et que je les trouve pour leur parler au nom du Roi, et voir si j'y pourrai faire

* Appendix to M. Laing's Dissertation, vol. ii. No. xxix.

† ' Dans la pièce qui précédait le cabinet.'

quelque chose. S'il advient, j'y ferai tout ce qu'il me sera possible, et, après, le meilleur est de me retirer, et, comme je vous ai mandé, les laisser jouer leur jeu. Il n'est point séant que j'y sois au nom du Roi, car, si je favorise la Reine, l'on pensera en ce royaume et en Angleterre que le Roi tient la main à tout ce qui se fait; et si ce n'eût été le commandement que Vos Majestés me firent, je fûs parti huit jours devant les noces; si est-ce que j'ai parlé bien haut, de quoi tout ce royaume est assez abreuvé, et je ne me suis point voulu brasser à ses noces, ni depuis ne l'ai point voulu reconnaître comme mari de la Reine. Je crois qu'il écrira à Y. M. par le dit Evêque de Dunblane; vous ne lui devez point faire de réponse.—(vol. vii. pp. 110-112.)

Only a month afterwards we find, from the same impartial witness, the conclusion to this mournful story. His letter of Wednesday the 17th June, 1567, is dated at Edinburgh, and is addressed to the King, Charles IX. of France, and contains by far the most circumstantial and authentic account ever published of the transactions on Carberry Hill. But considering the great length of this letter, it will perhaps be more acceptable to our readers in an English version.

'Sire, I wrote a letter to the Queen* on Wednesday, the 11th of this month, and informed her that on the previous night, the Queen, your Majesty's sister-in-law, being at the castle of Bourtig (Borthwick), at four leagues from this city, was there besieged by a thousand or twelve hundred horse, led by the Earl of Morton and my Lord Home. These, on hearing that the Duke† her husband had made his escape, were eager to show that they had not taken up arms to molest or displease their sovereign. Accordingly they withdrew and presented themselves before this city, and they found on their way the Earl of Mar, who came to join them with seven or eight hundred horse. The armed burghers made no resistance to them, nor was a single shot fired from the castle, which the Queen and the Duke believed to be entirely at their disposal, all which made us think the rising truly important and well combined by its principal leaders.

'Next day I offered myself to confer with the assembled Lords, who immediately came to call upon me at my lodging. I told them what you will find in the paper annexed, and we agreed to treat. But having afterwards sent them the same statement in writing, they asked me for three days' delay before they answered it, while awaiting the Earls of Athol and Glencairn and other Lords whom they expect. They assign three grounds for their confederacy: first, to obtain the freedom of the Queen, saying that she would never be at ease so long as she remained in the hands of him who holds her captive; secondly, the safety of the Prince;‡ thirdly, in respect to the King's murder, for that they would think themselves the most dishonoured nation in the world if the authors of that crime were not discovered, and such condign punish-

* Catherine de' Medici.

† Bothwell, lately created Duke of Orkney.

‡ Queen Mary's son, afterwards James VI.

ment taken as should satisfy all other princes and princesses upon earth.

'The Queen seeing that they had withdrawn from before Bourtig, made her escape about twilight in the way that the bearer of this letter will explain to you,* and retired to the castle of Dombar, having found the Duke again at half a league from Bourtig waiting for her. During all Friday and Saturday (June 12th and 13th) they mustered as many men as they could, and on Saturday they marched to Edington (Haddington), four leagues from Dombar, where it was thought that they would pass the night; however, to lose no time, they marched two leagues further and lodged at Seaton. The Lords having been apprised of this, feared lest the Queen and the Duke might present themselves before the castle of this city, which promised to hold out for them if they could muster men enough. With this fear the Lords set themselves in motion on Sunday morning two hours after midnight (June 14th), intending to give battle near Seaton. The Queen and the Duke were informed of this intended movement, and at the same hour set forth to meet their enemy. Finding a good position on their way they halted. The Lords coming up halted also, being about half a league distant, and with a small brook running between them.

'I felt myself full of perplexities: on the one hand I did not wish to remain useless while holding your commission; on the other hand I thought that if I were to journey with the Lords, it would be giving the world to understand that I made common cause with them. I therefore let them march on for about three hours, and then contrived to fall in with them on the side of the brook, having only ten horsemen in my train. They pretended to be right glad to see me. I told them the grief I felt, knowing as I did how unwelcome would be the news of this sad day's work to your Majesty. I begged them for God's sake to consider whether, acting in your name, I might not do some good service both to the Queen and to themselves. I pointed out to them, that after all they were engaged against their sovereign, and that if even God should favour them so far as to gain the battle, they might perhaps find themselves more at a loss how to act than even now. They replied that they knew of only two expedients that could prevent the effusion of blood; first, if the Queen would forsake that wretch who holds her in thralldom, they would hasten to acknowledge her as sovereign, serve her on their knees, and remain her most dutiful and devoted subjects. The second expedient was if I would carry a message to that man (Bottwell), proposing to him to come forth between the two armies, in which case a champion on their side should appear against him and assert him to be the true murderer of the late King; and if a second champion were required, or a fourth, or a tenth, or a twelfth, they should be forthcoming. I answered them that I would not mention either of these expedients, thinking that they would be greatly displeasing to the Queen, and I begged them to suggest some other means. They replied that they knew of no other, and that they would rather perish once for all than that the death of the King should not be brought to light; for if

* That is, in man's apparel, booted and spurred. See Tytler's History, vol. vii, p. 128.

in this matter they did not do their duty, God would certainly avenge it upon them. I begged them to allow me to go and speak to the Queen, whom I had always known as so gracious a princess, that perhaps I should find her able to concert with me some means of conciliation. To this they pretended to demur, at which I loudly complained, protesting before God and themselves that if I could not prevail with her Majesty I would return to them, and afterwards withdraw from the field. They held a secret conference together, and then the Laird of Ledington (Muitland of Lethington), acting as their spokesman, told me that respecting me as the ambassador of so great a monarch as your Majesty, of whom they wished to remain the humble and attached servants, and feeling desirous above all things to preserve the alliance between this kingdom and your's, they would leave me at full liberty to depart from or return to their army, to go to the Queen or wherever else I pleased, and that with this view they would cause me to be escorted safely as far as they could. I thanked them heartily for the good-will which they bore your Majesty, in which I exhorted them to persevere, and repeated again that I wished to go and confer with the Queen. They assigned me fifty horse, whom I led as far as the Queen's outposts that had already passed the brook; there might be two hundred horse, and eight hundred behind to support them.

As I was thus drawing near the main army of the Queen there came to meet me Captain Cladre (Blacater) with twenty-five or thirty horse, who brought me to her Majesty. After having paid her my respects and kissed her hand, I gave her to understand what grief it would be to your Majesty and also to the Queen, her mother-in-law,* if they knew the state in which I saw her. I told her what had passed between me and the assembled Lords, and entreated her, having always known her as so good and gracious a princess, to remember that those before her were her subjects, and that they acknowledged themselves as such, and her most humble and affectionate servants. Her Majesty replied that they showed this humility and affection in a very strange way; that they were going against their own signatures; that they themselves had married her to him whom they now accused, having previously themselves acquitted him of the deed with which he was charged. However, she added, if they were willing to acknowledge their error and ask her pardon, she was ready to open her arms and embrace them. During this discourse there came up the Duke, who appeared very attentive to the conduct of his army; we exchanged a salutation, but I did not offer to embrace him. He asked me aloud, so that his army might hear him, and in a confident tone, whether he was the person aimed at by the other party? I answered, also aloud, that since he wished to know it, I had just been speaking to them, and that they had protested to me that they were the most humble servants and subjects of the Queen; and then I added in a lower tone, that they had announced themselves as his mortal enemies. The Duke rejoined, raising his voice so that every one might hear the assurances he had given them, that he had never meant to do anything to displease any one of them, but on the contrary had attempted to gra-

* Catherine de' Medici,

tify all; and that they could only complain of him from envy at his rise, but that Fortune was free to all who could gain her; and that there was not a single man amongst them who did not wish himself in his place. But, he said, as things were thus, he entreated me from the bottom of his heart to do so much for his sake and for God's glory, as to save the Queen from the difficulty in which he saw her, and which, he said, filled him with anguish, and also to prevent the shedding of blood. "Tell them," added he, "that if there is any one amongst them who will leave his ranks and come forth between the two armies, I, although I have the honor to be consort of the Queen, will meet him in single combat, provided only he be a man of rank, for my cause is so just that I am assured of having God on my side." I refused, however, to convey this offer from him, as I had before refused it from the other side; besides, the Queen declared that she would not suffer it, and would espouse this quarrel as her own. I therefore confined myself to saying that I should deem myself very happy if in your Majesty's name I could do any service to the Queen and to both armies. The Duke observed that there was no longer time for conferences, since he saw the enemy drawing near, and having already passed the brook. "Will you," he said, "resemble him who, having tried to mediate a peace between the two armies of Scipio and Hannibal when ready to engage like these, and having failed, resolved to take part with neither, but took up a position to judge the fight, and was never in his life so entertained? If you will do the same, you will have more pleasure than you ever had before, and will see a fight well fought." I replied, that I expected no such pleasure where the Queen and her two armies were concerned, but that on the contrary I should never have seen anything to give me so much grief. I am bound to acknowledge that the Duke appeared to me a great captain, speaking with undaunted confidence, and leading his army gaily and skilfully. I lingered for some time in the contemplation, and judged that he would have the best of the fight, if his men continued faithful to him. It was impossible to forbear praising him for his courageous bearing, when he saw the enemy's forces before him so determined, and could not reckon on even half his own. His army was of 4000 men, and he had four field-pieces; of which the enemy had none, nor could they be more than 3500 at the most. The Duke had not with him a single Lord of note; yet I valued him the more for thus commanding singly; and I distrusted the strength of the other side, seeing how many heads there were to govern, and the loud contention and outcry which arose among them.

'It was with extreme regret that I took leave of the Queen, quitting her with tears in my eyes, and I went again to the other party to see if I could prevail in aught with them. I assured them that I had found the Queen all goodness, and that she declared herself ready to open her arms to them, if they were but willing to acknowledge her. They answered me resolutely that they would never enter into any other terms than those which they had already proposed; and that even to attempt a negotiation on any other footing would injure their credit: thus therefore each of them took his *morion* in his hand and entreated me for
 God's

God's sake to retire, thanking me for what I had done thus far. Accordingly I did retire from the field.

'I may add this observation, that the Queen bore on her banner a lion, as being the arms of her kingdom; but the Lords bore a white standard on which was represented a dead man near a tree (because the late King was found near a tree in the garden), and also a child on his knees, intended for the Prince of this kingdom, and holding a scroll with the words "Revenge, oh God, for my righteous cause!"'

'After I had left the field the two armies began to draw nearer each other, both seeking the advantage of the ground, and at last they were so close as to have only a small gully between them, so that whichever party began to attack would have to descend and to climb it. From eleven o'clock in the morning until five in the afternoon they remained at gaze, having all dismounted, for such is the custom of this country, to get on horseback only when the moment of fighting is at hand. At last a kind of murmur arose in the army of the Queen, the men saying that it would be better to seek some means of accommodation. At this the Queen and the Duke were greatly disconcerted, finding that what he had always feared had come to pass;—and indeed they saw some of their people already gone forwards, making signs that they wished to parley. It was the same on the other side; and on discussing together what means could be found to prevent the effusion of blood, it was agreed among the men that the best course would be for the Duke to stand forth between the two armies, and a champion from the other side come and fight him. The Duke agreed to this. The Queen saw that every thing was turning ill, and lent an ear to the proposal. There was one man named, the Laird of Tullibardine,* who offered himself for the conflict, and the Duke was willing to accept him for an antagonist; but the Queen peremptorily refused, on the ground that there were others of higher rank. At last another, called Lord Lindsay,† offered himself, and they pretended to accept him.

'During these parleys it had happened that groups of men had been formed in the midst, and that great discouragement began to prevail in the army of the Queen. When the Queen first observed this disorder in her ranks she desired to speak with one of her adversaries, named the Laird of Grange, and she asked him whether there were no means of coming to terms for the safety of the Duke; he answered, no, for that they were resolved either to die or to have him. Upon this the Duke mounted, and made his escape to Dumbarton, followed only by twenty-five or thirty horse. The Queen on her part began to walk towards her adversaries; here then were the two armies joined together and marching in concert towards this city of Lislebourg.‡ When they came there they lodged the Queen in the house of the *prevot* (provost). I know, sire, that this name of *prevot* will sound very ill and appear very hateful in France, but according to the manners of this country it means the best house in the town.

'Next day (Monday, June 15th), at one o'clock in the morning, her

* Ancestor of the Dukes of Athol.

† Lord Lindsay of the Byres.

‡ Edinburgh; so called by the French, from the lochs then surrounding the city.

Majesty put herself at a window, all in tears and with more sighs and groans than can be described, and seeing Ledington pass in the street, entreated him for God's sake to let her speak to him, which he did in her chamber; and the people who had gathered together at her cries were bid to disperse. Some Lords also went to her: I thought that I could not do less than ask to see her, and I had it mentioned to these Lords. They held a conference upon it, and sent me word that they would be glad I should see her; being well assured that all I wished to say to her would be conducive to her tranquillity and theirs, but that her language to them was strange, and that they would be desirous of my speaking with them before I spoke with her. To this I consented, and they informed me that they would send an honourable attendance to fetch me. However, there was an alarm of tumult in the city, which lasted, as I think, the whole day; and about nine in the evening they led the Queen to her usual apartments in the abbey (Holyrood), with two men on foot before her, bearing the standard which represented the dead body. The Lords were on foot around her Majesty, and a thousand or twelve hundred men followed. During the night they removed her from this city; as I believe, to the castle of Esterlins (Stirling*) . . . I pray to God that he may comfort this poor kingdom, for it is now the most afflicted and distracted realm that can be found under heaven, and its disorder is beyond all power of expression. . . . From Lislebourg this 17th of June, 1567.—(Vol. vii. pp. 113—124).

But perhaps, our readers will now desire to see a specimen of Mary's own letters. The one which follows, addressed from Carlisle to the Cardinal of Lorraine, gives a striking account of the hardships she endured after her escape from Lochleven, and appears to us in other respects highly characteristic:—

' Mon Oncle, si vous n'avez pitié de moi à ce coup, je puis bien dire que c'est fait de mon fils, de mon pays et de moi, que je serai en un autre quartier en ce pays, comme en Lochleven. Je vous supplie avoir égard, mes ennemis sont peu et j'ai tout le reste de la noblesse: les leurs commencent à laisser, si j'avais tant soit peu de secours. Car ils sentent bien que leur querelle est mauvaise, et que, en Ecosse et ici, où j'ai pu parler pour répondre à leur calomnies et faux rapports, ils sont estimés traitres et menteurs; et pour ce respect s'efforcent-ils de m'empêcher de passer outre et m'arrestent ici. Ceux que la Reine (Elizabeth) envoie pour les faire cesser et poursuivre mes ennemis, les fortifient et assistent au contraire, de façon que l'on me tient jusques à ce que les autres m'aient battues, combien que j'ai offert les prouver faux accusateurs et moi innocente, comme ce porteur vous dira, auquel je me remettrai pour le crédit que je lui donne. Je vous supplie hâter quelque secours, comme il vous montrera le besoin qu'en ont tous mes bons serviteurs qui ne sont en petit nombre, et entre autres le pauvre Mr. de Seton, qui est en danger d'avoir la tête tranchée pour avoir été un de mes délivreurs de

* Such was the first rumour, but in fact, as is well known, Mary was sent that night to Lochleven.

prison. Entretenez bien Betoun, car je ne l'ose envoyer quérir que je ne soie plus sûre. Car ils disent bien qu'ils le feront tuer s'ils peuvent, et George Douglas qui m'a ôtée aussi. Par quoi je le vous enverrai incontinent qu'il pourra avoir sûreté de passer, comme j'en écris à l'ambassadeur de France. Car on a empêché Mr. de Fleming qui est là, de passer vers le Roi. Si George va, je vous enverrai, tout au long, leurs déportemens et les miens depuis le commencement des troubles, car il a ouï leurs beaux comptes de moi et je l'instruirai du reste. Je vous le recommande, faites lui donner honnête entretien. Car autrement guères ne perdront leurs amis pour me servir au hasard de leur vie. Il est fidèle : de cela je vous assure et fera ce que lui commanderez. Je vous supplie, envoyez souvent visiter le Duc :* car ses parens m'ont servi extrêmement bien, et s'ils ne sont secourus ils sont vingt-huit gentilshommes, tous d'un surnom, condamnés à être pendus et leurs maisons abattues. Car tout homme qui ne les veut obéir est coupable de ce crime qu'eux mêmes ont commis. Ouvertement ils inventent de jour en jour mengeries de moi, et secrètement m'offrent de ne dire plus mal de moi, si je veux leur quitter le gouvernement. Mais ou j'aime mieux mourir, ou les faire avouer qu'ils ont menti de tant de vilénies qu'ils m'ont mises sous. Or je me remets à la suffisance de ce porteur et vous supplierai avoir pitié de l'honneur de votre pauvre nièce et procurer le secours que vous dira ce porteur et ce pendant de l'argent car je n'ai de quoi acheter du pain, ni chemise, ni robe.

' La Reine d'ici m'a envoyé un peu de linge et me fournit un plat. Le reste je l'ai emprunté, mais je n'en trouve plus. Vous aurez part en cette honte. Sandy Clerk, qui a été en France de la part de ce faux bâtard,† s'est vanté que ne me fourniriez point d'argent et ne vous mêleriez de mes affaires. Dieu m'éprouve bien ; pour le moins assurez-vous que je mourrai Catholique. Dieu m'ôtera de ces misères bien-tôt. Car j'ai souffert injures, calomnies, prison, faim, froid, chaud, fuite sans savoir où quatre-vingt-douze milles à travers champs sans m'arrêter ou descendre, et puis coucher sur la dure, et boire du lait aigre, et manger de la farine d'avoine sans pain, et suis venue trois nuits comme les chat-huans, sans femme, en ce pays, où, pour récompense, je ne suis guères mieux que prisonnière : et cependant on abat toutes les maisons de mes serviteurs et je ne puis les aider, et pend-on les maîtres, et je ne puis les récompenser, et toutefois tous demeurent constans vers moi, abhorrant ces cruels traitres, qui n'ont trois mille hommes à leur commandement, et si j'avais secours, encore la moitié les laisserait pour sûr. Je prie Dieu qu'il mette remède, ce sera quand il lui plaira, et qu'il vous donne santé et longue vie.

' De Carlile, ce 21 de Juin (1568).

' Votre humble et obéissante nièce,

' MARIE R.

' Je vous supplie présenter mes tres-humbles recommandations à ma Dame ma tante. Je lui écrirai dans huit jours par George Douglas, qui

* 'De Chatel-Herault, le chef des Hamiltons.

† 'Le Comte de Murray, Regent d'Ecosse.

lui ira faire entendre ma misère. Je ne veux oublier que j'ai promis quand je partis d'Ecosse à mes gens de leur amener du secours à la fin d'Août. Pour l'honneur de Dieu, que je ne les fasse ruiner et puis qu'ils [ne] soient trompés. Mais envoyez en avec le Duc et quelques Français d'autorité, et, entre autres, le Capitaine Sarlabous serait bien requis. C'est tout un pour ma retenue; mais que mes sujets ne soient trompés et ruinés; car j'ai un fils que ce serait pitié de laisser entre ces traîtres.'—vol. ii. pp. 115-119.

We will add the last letter which the ill-fated Mary ever wrote: it is addressed to Henry III., King of France, and dated Fotheringay Castle, February 8th, 1587, the very night before her execution:—

'Monsieur mon Beau-frère, étant, par la permission de Dieu, pour mes péchés, comme je crois, venue me jeter entre les bras de cette Reine ma cousine, où j'ai eu beaucoup d'ennuis et passé près de vingt ans, je suis enfin par elle et ses Etats condamnée à la mort; et, ayant demandé mes papiers par eux ôtés, afin de faire mon testament, je n'ai pu rien retirer qui me servît, ni obtenir congé d'en faire un libre, ni qu'après ma mort mon corps fût transporté, selon mon désir, en votre royaume, où j'ai eu l'honneur d'être Reine, votre sœur et ancienne alliée.

'Ce jourd'hui,* après dîner, m'a été dénoncé ma sentence pour être exécutée demain, comme une criminelle, à huit heures du matin. Je n'ai eu loisir de vous faire un ample discours de tout ce qui s'est passé; mais, s'il vous plaît de croire mon médecin et ces autres miens désolés serviteurs, vous oirez la vérité, et comme, grâces à Dieu, je méprise la mort et fidèlement proteste de la recevoir innocente de tout crime, quand je serais leur sujette. La religion Catholique et le maintien du droit que Dieu m'a donné à cette couronne sont les deux points de ma condamnation, et toutesfois ils ne me veulent permettre de dire que c'est pour la religion catholique que je meurs, mais pour la crainte du change de la leur: et, pour preuve, ils m'ont ôté mon aumônier, lequel, bien qu'il soit en la maison, je n'ai pu obtenir qu'il me vînt confesser ni communier à ma mort; mais m'ont fait grand instance de recevoir la consolation et doctrine de leur ministre amené pour ce fait. Ce porteur et sa compagnie, la plupart de vos sujets, vous témoigneront mes déportemens en ce mien acte dernier.

'Il reste que je vous supplie, comme Roi Très-Chrétien, mon beau-frère, ancien allié, et qui m'avez toujours protesté de m'aimer, qu'à ce coup vous faisiez preuve en tous ces points de votre vertu, tant par charité, me soulageant de ce que, pour décharger ma conscience, je ne puis sans vous, qui est de récompenser mes serviteurs désolés, leur laissant leurs gages, l'autre faisant prier Dieu pour une Reine qui a été nommée Très Chrétienne et meurt Catholique, dénuée de tous ses biens. Quant à mon fils, je le vous recommande, autant qu'il le méritera; car je n'en puis répondre. J'ai pris la hardiesse de vous envoyer deux pierres rares pour la santé, vous la désirant parfaite avec heureuse et

* 'Cette lettre, qui avait été commencée le Mardi, 7 Février, fut achevée le lendemain.

longue vie. Vous les recevrez comme de votre très-affectionnée belle-sœur, mourante en vous rendant témoignage de son bon cœur envers vous. Je vous recommande encore mes serviteurs. Vous ordonnerez, s'il vous plaît, que, pour mon âme, je sois payée de partie de ce que me devez, et qu'en l'honneur de Jésus Christ, lequel je prierai demain, à ma mort, pour vous, me laisser de quoi fonder un obit et faire les aumônes requises.

'Ce Mercredi, à deux heures après minuit.

'Votre très-affectionnée et bonne sœur,

'MARIE R.'

We conclude as we began, heartily commending these volumes to general attention, as one of the most valuable contributions ever offered to British Literature by a foreign hand.

ART. VI.—*Kosmos. Entwurf einer physischen Weltbeschreibung.* Von Alexander von Humboldt. Erster Band. 8vo. Stuttgart, 1845. Pp. 493. (*Cosmos: A Sketch of a Physical Description of the World.* Volume First.)

BARON Alexander Von Humboldt was born on the 14th September, 1769; he has consequently now entered his 77th year. In his preface to the *Kosmos* he says:—'In the late evening of an active life I present to the German public a work whose undefined outline has hovered before my imagination for half a century.' The circumstances under which the volume is presented to us secure beforehand a respectful and cordial interest, independently of its own great merits.

The general features of the active life to which Humboldt here alludes are pretty generally known. In the various partial biographies of him which have already appeared, we have a more or less accurate repetition of nearly the same details; but to know Humboldt aright there is much more of which the public would naturally wish to be informed, regarding so eminent a man, and which would throw light upon the history of his occupations and enterprises. For this, however, as well as for a complete and impartial estimate of his philosophical character, we must be content to wait till a period, we hope still remote, when the events of his life may be considered as matter of history.

In the meantime we may recall the prominent circumstances of his scientific career. After the routine of an education at Göttingen and elsewhere, which offers, so far as we know, nothing peculiar, he studied mining at Freyberg under Werner—having already, however, made a rapid journey to Holland, England, and France, and having published, in his 21st year, an 'Essay on the

the Basalts of the Rhine.' Though afterwards attached officially to the mining corps, he appears to have continued his excursions in foreign countries, particularly in Austria, Switzerland, and Italy, and finally reached Paris in 1797, or 1798, where he was destined to spend many after years of his life. His attention to mining does not seem to have prevented him from attaching himself to many different pursuits, amongst which botany and the then recent discoveries of Galvani connected with muscular irritability may be particularly noticed. Botany indeed, we know from his own authority, occupied him nearly exclusively for some years;* but even at this time he was practising the use of those astronomical and physical instruments which he afterwards turned to so good an account.† His subsequent struggles and disappointments in the attempt to extend his knowledge of nature in different regions are told of in the first part of his 'Personal Narrative.' The political disturbances of the civilized world at the close of the last century were such as to make our impatient traveller an unwilling prisoner within the boundaries of Europe. His first scheme was to join a friend going to explore Egypt; his second, to unite himself to a French circumnavigatory expedition; his third, to accompany a Swedish consul to Algiers from Marseilles; but all these projects were negatived by the causes which we have mentioned; and at last, in the hope of entering Africa from Cadiz, he proceeded to Spain in 1799—where his plans took an entirely new direction from the unexpected patronage which he received at the court of Madrid. This decided him to proceed directly to the Spanish possessions in America, and there gratify the longings for foreign adventure, and the scenery of the tropics, which had haunted him from boyhood, but had all along been turned in the diametrically opposite direction of Asia. He did not reach America without one or two alarms of capture at sea, which would have returned him to the shores of Europe, wherewith his perverse destiny seemed to connect him; but he succeeded, and from 1799 to 1804 carried on those extensive researches in the physical geography of the New World, by which his name was to be invested with permanent celebrity.

His return to Europe in 1804 imposed upon him fresh labours—the publication, namely, of the results of his journey. In his manner of effecting this Baron Humboldt was, we think, ill advised, and probably he has long been of the same opinion. In order to bring his results before the world in a manner worthy, as he conceived, of their importance, he commenced a series of gigantic publications in almost every branch

of science, and rendered himself for the best years of his life a slave to booksellers and engravers. In ponderous continuity, but with diminishing celerity, folio after folio, quarto after quarto, octavo after octavo, dropped from the press. In 1817 (as we find from an advertisement of that period), after more than twelve years of incessant labour, four-fifths of the publication were completed, and a copy of the part then in print cost, upon ordinary paper, one hundred pounds sterling. Since that time the publication has been more remitted;—even now, more than forty years after the termination of the expedition, it continues incomplete—and will probably remain so.* The Baron's constitution had need have been a good one to withstand his exposure amidst the snows of the Andes and the swamps of the Orinoco; but it was doubtless more severely tried by the pains and anxieties of so protracted a literary labour.

The lesson is one too important to be lost. Life is too short and uncertain to encourage the undertaking of encyclopædial publications by individuals. There cannot be a doubt that what was truly valuable in Humboldt's investigations might have been comprised in a fifth, if not a tenth, of the bulk, and published within a proportionally smaller compass of time. If a traveller narrates circumstantially and faithfully what he has seen and observed, expresses his own opinions, draws his own conclusions, and refers generally to the writings of his predecessors, so as to facilitate a comparison, and to exonerate himself from a just charge of endeavouring to throw them into the shade, he does all that can reasonably be required of him. It may be left for other and systematic writers, or for himself, as a future and independent task when he changes the character of a traveller for that of a didactic author, to harmonize the entire body of scientific information to which he has contributed into a methodical whole: but first let him publish, speedily and at all hazards, what belongs to himself;—otherwise, ere he has finished, he may have spent his life, or his fortune; or (as in the present case) his own labours may be anticipated by other travellers whom his example has encouraged, and whose publication has been more individual and less tardy. This error (as we consider it) applies most particu-

* It seems, from the excellent new edition of *Brunet* (1842, vol. ii. p. 659), that the nineteenth *livraison* of the Geographical Atlas of the 'Voyage' was published as late as 1840; that the fourth volume of the 'Relation Historique' is still due; and that the *Geography of Plants* by Humboldt and Kunth, announced in 1827, has never yet appeared. Lest the omission should appear an intentional one, we ought to recall to mind the services of M. Bonpland, a meritorious naturalist who was united with Humboldt in his grand expedition, and to whose friendly perseverance our author was greatly indebted. Some of the strictly botanical parts of the work were brought out under his care.

larly to the *Relation Historique*, or Personal Narrative, which was intended to bind together and harmonize the multifarious collection of astronomical, geographical, botanical, zoological, physical, antiquarian, political and commercial facts and investigations which the author was to distribute over so many volumes. But unfortunately and strangely, this Narrative was an after-thought, and being chiefly compiled from meagre notes, its volume is swelled by elaborate analyses of preceding and contemporary works, and even those of a date posterior to the journey of Humboldt, intermixed with learned dissertations on different branches of science.

We said of this work in a contemporary article of our *Review* (Q. R., vol. xxi. p. 320), that 'it exhibits an exuberance of style, and a weight of diction in treating of the most common occurrences, which could scarcely be tolerated if it were not for the solidity of the judgment and the justness of the conceptions;' but, on the other hand, that the author 'is so deeply versed in the study of nature, and possessed of such facility in bringing to bear on every object that arrests his attention so vast a fund of knowledge, that we may say of him in physics, what was said of Barrow in divinity, that he never quits a subject till he has exhausted it.' This criticism and this commendation are, we think, equally applicable to Humboldt's later writings, with reference to which indeed we make these remarks on the history of his life.

Excepting a short journey to Naples with Gay Lussac and Von Buch in 1805 (the year after his return from America), his taste for travelling seems to have been controlled by circumstances for more than twenty years, eighteen of which he spent constantly in Paris,* where he cemented his early friendship with a much younger, but even then eminent, philosopher, M. Arago, of which very many traces may be seen in the work before us. The choicest years of Humboldt's life, from thirty-five to fifty-five, were thus spent in a capital, and almost exclusively employed in editing his 'Voyage.' The result was not only to deprive the world of much which he might have done had he been enabled to prosecute sooner and more effectually his early and continually cherished project of exploring the interior of Asia; but it was perhaps even injurious in some respects to his qualifications as an author. To dwell with incessant attention for twenty years upon the acquisitions made during five, cannot be esteemed a desirable arrangement. Especially since, from the form of publication adopted, a vast number of observations and of subjects of discussion came to be treated of in different divisions of the work—which occasions a perpetual

* *Kosmos*, p. 437.

reference from one to the other, a continued struggle to present the same simple fact in several forms and under several aspects, and that tendency to make the most of trivial circumstances, already alluded to, which inevitably encourages a prolix and embarrassed style. Vivid description, close and convincing reasonings, and terse composition are not in general characteristic of Humboldt's writings; and the reason is, that when he ought to have written a single work, or at most two, he wrote an encyclopædia. Even his hand-writing bears testimony to the drudgery of continued labour for the press, and the minute conglomeration of half-formed characters betrays the secret of writing a volume with the least possible amount of muscular exertion.

What might not those twenty years have done for exploring other and equally (if not more) interesting regions, which he spent in toiling over and over the ground of his youthful travels. If instead of describing and re-describing his Cotopaxi, and Jorullo, and Teneriffe, he had explored the volcanos of Central Asia, never seen by geologist; if instead of dwelling so continually on his favourite Chimborazo (soon to lose the character of maximum elevation even in its own continent) he had attempted the heights of the Himalaya, posterity would have been more benefited, and his contemporary reputation would surely not have suffered. To the East his early studies, as well as his early aspirations, had been directed: he had made progress, as he tells us, in the Oriental tongues, and in the study of the history of those obscure, in some instances forgotten nations, whose literature and arts contributed so much to European civilization. Finally when, partially relieved from the trammels of his book, he undertook in 1828 a journey to Siberia, under the special protection of the Russian government, and with two companions worthy of him—Ehrenberg and Gustav Rose,—his procedure was far too rapid to be productive of any great results; for we find him carried over a space of about 11,000 English miles in nine months—in the course of which he had not touched on any of the more problematical ground which it is so important to geography and geology to explore.* The results, very interesting so far as they went, have already been distributed or repeated in at least *four* different works.†

It may be suspected too that our author, whilst acquiring a knowledge of the physical geography of these remote regions, has not paid so much attention to objects not less important, though near at hand. His early and cursory journeys in England, France, and Switzerland, the trip to Vesuvius in 1805, and his brief

* Humboldt, *Asie Centrale*, iii. 608.

† Rose's *Reise nach dem Oural*. Ritter's *Asien*. Humboldt, *Fragments Asiatiques*. Humboldt, *Asie Centrale*.)

transit through Spain on his way to America, are the only ones which we can collect from his writings (and he never omits an opportunity of specifying what he has personally seen) to have been made for the purposes of scientific observation, and these regions he surveyed in so general a manner that he almost invariably cites other writers for the authority of European facts. We learn from the work before us, what we always suspected, that though volcanic phenomena have obtained more of his attention than any others in geology, he has never visited Etna. Whilst we admire Humboldt's character, and most deeply respect his attainments, we cannot but cast a regretful retrospect on what he might have done, had he not devoted himself to raise a literary pyramid whose mass, like those of Egypt, should be itself a passport to immortality.

It is satisfactory, however, to add that the happy accident of a protracted life—protracted, as the *Kosmos* shows, to beyond the limit assigned by the Psalmist, without any diminution of mental power, or even a flagging of the indomitable perseverance and research of his earlier days,—has well nigh compensated the world for the time expended in publication. Baron Humboldt has lived not only to enlighten the world by a series of original works, continued in tolerably rapid succession, and of which the latest, as we shall hope to show, is not unworthy of its predecessors, but he has been enabled to confer upon the sciences, to which he has all his life been devoted with a pure and disinterested attachment, other and great collateral benefits. His position in society enables him to be the friend and companion of the sovereign of his own country, and if his attendance on the King of Prussia has required some sacrifices of a scientific kind, these are probably compensated by the value of his political influence in the encouragement of the labours, and distinction of the merits of others. No human being breathes who is more free from personal jealousy and literary enmity than the Prussian philosopher. It may well be believed that he has not an enemy, and many are the warm friends whom his urbanity and generosity have attached to him. We shall have occasion to show in this article that he seems to feel more pleasure in claiming for others the reputation which he thinks they deserve, than in demanding honour for himself. Nor is his influence confined to his own country. Domesticated equally in Paris as in Berlin, two of the chief European Academies regard him almost as an oracle; and in States with which he has no connection his influence has, to our own knowledge, been efficiently exerted, not merely for the promotion of science, by making suggestions for carrying on
extended

extended schemes of observation, but with two at least of the most jealous governments of Europe in procuring personal favour, and the relaxation of political decrees, on behalf of persons engaged in scientific pursuits.

We turn then to the work immediately before us—the first volume of three which are intended to embrace a summary of physical knowledge as connected with a delineation of the material universe; for such, as well as we can define it, appears to be the scope of an undertaking, worthy certainly of this author's accurate and extensive acquirements and mature experience, with which he proposes to sum up the labours of an energetic and thoughtfu^l life.

The scheme is great, and he does not disguise to himself its difficulty. The volume before us includes some comparatively short prefatory dissertations—and then 'Naturgemälde,' or a descriptive account of the material universe. The remaining two volumes are to treat of the ways in which the study of nature may be promoted and rendered attractive; the history of natural investigations, or the progress of the human mind towards the discovery of physical truths; and, finally, a systematic development of individual natural sciences. The first volume, which alone is published, includes in itself so wide a range, and treats of subjects so peculiarly fitted for Humboldt's genius,—(the pictures of nature)—that we do not fear any injustice to the author in treating of it separately.* Unfortunately for every reader it possesses neither table of contents nor index, and these deficiencies add considerably to the difficulty of our proposed task.

Of the prolegomena, or initiatory essays, we have not much to say. They consist in the first place of a preface—in the next, of a popular discourse on the pleasures and advantages of science—and the third is entitled 'an attempt to define the limits and materials of a physical description of the world.' In this triple preface, covering, with the notes, nearly eighty pages of the original, we find some repetition and a want of definiteness, together with a tendency to digression, which we think calculated

* We regret that the appearance of an English translation of the *Kosmos* undertaken by Colonel Sabine, with the concurrence of the author, has been anticipated by the publication of another translation in the form of Parts or Fasciculi. This translation may, we dare say, be, on the whole, decently executed, but we should much prefer, of course, a deliberate version bearing the guarantee of a name so eminent as Colonel Sabine's, and authenticated by Baron Humboldt's approbation. We hope and trust, therefore, that Colonel Sabine has not dropped his design. In our quotations in the present article, we have generally consulted the German original alone; but in the extracts from the first eighty pages of preliminary matter, reference has likewise been made to proof-sheets of the French translation, revised by the author himself, in which some modifications are noticeable.

to convey an unfavourable impression in opening a volume of which by far the greater part is not liable to any one of these objections, for the Picture of Nature which follows is concise, methodical, and perspicuous. We are the more sorry that the Introduction should be uninviting. The first discourse told very well, we have no doubt, in the circumstances under which it was delivered, as an oration in presence of the Prussian royal family and a mixed audience, where consecutive exposition and unity of argument are not missed, unless by a few critical auditors, their place being supplied by a series of rather lively pictures connected with the personal history of an expositor dignified by rank as well as fame, and by the interest which the mention of illustrious contemporaries always produces in oral discourse. Did our limits permit, there are, however, several passages which we should like to transfer to our pages; and even as it is, we cannot omit to mention the manner in which the somewhat delicate national question of the merits of his German countrymen as expositors of the physical sciences is treated:—

‘It is not perhaps, without reason,’ he says, ‘that our scientific literature has been reproached with not sufficiently distinguishing the General from the Special, the enlarged view of the results of knowledge from the examination of the facts in detail by means of which they have been obtained; which has led the first poet of our time (Goëthe) impatiently to exclaim, “The Germans possess the gift of rendering the sciences inaccessible.” If we let the scaffolding remain we are deprived of a full view of the building.’—*Kosmos*, p. 29.

In a subsequent passage he disclaims any participations in the metaphysical dreams of the German ‘Natur-philosophie,’ which, erring as far on the other side of the standard of Bacon and Newton as the merely laborious compilers of facts without regard to principles do on this,—show how easy it is first to degrade science and then to trample it under foot. Humboldt says, in his second essay—

‘The exposition of the totality of observed facts does not exclude the desire to trace by principles of reasoning their mutual connection, to generalize where it is practicable amongst the mass of individual observations, and to tend to the discovery of laws. Conceptions of the universe founded solely on abstract principles of speculative philosophy, would assign, no doubt, to the science of the material universe, a more elevated aim. I am far from blaming efforts which I have not attempted, merely because their success remains as yet very questionable. Contrary to the desire and advice of those profound and powerful thinkers who have given a new life to the speculations which the ancients originated, systems of the philosophy of nature have, in our Germany, withdrawn attention for a time from the important studies of mathematical physics. The intoxication of pretended conquests already

made, a new and extravagantly symbolical language, a predilection for formulæ of scholastic reasoning more contracted than were known to the middle ages, have distinguished, by the youthful abuse of noble powers, the short saturnalia of a purely ideal system of nature. I repeat the expression, abuse of power; for eminent persons attached both to speculative studies and to the sciences of observation have not taken part in these saturnalia. Results obtained by experimental observation cannot be in contradiction with the true philosophy of nature. When contradiction appears, the fault lies either in the hollowness of the speculation—or in the exaggerated pretensions of an empiricism which attempts to prove from experience more than can really be deduced from it.—*Kosmos*, pp. 68-9.

These sentiments are honourable to the author, and are well expressed; and the candour with which he exposes the errors which have unspeakably injured the character of German authors on the economy of the material universe, should have led, we think, to a plainer recognition of the superiority of the English school in this respect. But Humboldt himself is perhaps not beyond the reach of his own censure; for he becomes involved and obscure, and seems to feel his ground shake under him, whenever his subject inevitably leads him for a moment from the detail of phenomena and their classification, to speak of, or hint at, the remotest idea of causation. The most distinct passage to be found on this subject is the following:—

‘In submitting physical phenomena and historical events to the exercise of the reflecting faculty, and in ascending by reasoning to their causes, we become more and more penetrated by that ancient belief that the forces inherent in matter, and those regulating the moral world, exert their action under the empire of a *Primordial Necessity*, and according to movements periodically renewed at longer or shorter intervals. It is this Necessity, this secret but permanent bond, this periodical return in the progressive development of forms, of phenomena, and of events, which constitute *Nature*, obedient to a primæval impulse given.’

We have here used the French version, corrected by Humboldt himself. In his original German text the definition of Nature is somewhat different:—

‘This Necessity is the essence (*Wesen*) of Nature:—it is Nature herself in both spheres of its existence, the material and the intellectual.’—*Kosmos*, p. 32.

But Humboldt's views of the restriction under which physical philosophers are placed in their inductive speculations is more limited than the men of science of our own country will readily concede. It is easy to say that the ‘ultimate end of the experimental sciences is to ascend to the existence of laws, and to generalize them progressively;’ but where is the inductive process to end? Where is the last generalization of the last and highest

highest group of laws? The contemplation of a law of Nature derived from the generalization of individual facts, is as purely a subject of abstract intellectual conception as any founded on moral phenomena; and the reasoning through a chain of causes must evidently bring us at last to the first cause of all—be it Necessity, or be it God. Our author seems even to admit as much, although he excuses himself from prosecuting his own generalizations up to the point whither they must ultimately carry him:—

‘We are yet far,’ he adds in the second discourse, ‘from the period when it will be possible to reduce all the manifestations of our senses to the conception of unity in Nature. It may even be doubted whether that epoch will ever arrive. The complication of the problem, and the immensity of the universe almost quell the hope of it. But if the whole be impossible, there remains the partial solution of the problem, and to strive after the comprehension of natural phenomena must be the highest and perpetual goal of all scientific inquiry. *True to the character of my earlier writings and to the nature of my occupations, which were devoted to experiments, measures, and search after facts, I confine myself strictly to empirical considerations. It is the only ground upon which I feel myself competent to move without a sense of insecurity.*’—*Kosmos*, pp. 67-8.

We think that this is too humble an estimate of the province of an author who proposes to map creation in its length and breadth, and to explain the connexion and mutual dependence of its parts; a province well entitled to the name of NATURAL PHILOSOPHY founded on the principles of induction, as opposed to that scholastic science of presumptuous Deduction, which our author has so justly condemned, and which in Germany seeks to monopolize a name, rendered at once sacred and classical by its adoption by Newton. Far other was *his* estimate of the end and limit of natural investigations. To exclude the idea of *cause* would have been, in his estimation, to have degraded his science. ‘*Hæc de Deo,*’ said the author of the *Principia*, ‘*de quo utique ex phenomenis disserere, ad Philosophiam Naturalem pertinet.*’

We are far indeed from delighting in the tendency of some authors on natural sciences to drag in religious views at every turn, thus secularizing things sacred in the attempt to sanctify things profane. We avow our belief that the province of Natural Theology is confined within narrow and very definite limits, although within these limits it exercises a just and incontestable jurisdiction; but we delight not in the pedantry of converting treatises of science into doctrinal compilations. There is, however, an opposite pedantry as worthy of condemnation. We conceive it to be impossible for any well-constituted mind to

contemplate the sum and totality of creation, to generalize its principles, to mark the curious relations of its parts, and especially the subtle chain of connexion and unity between beings and events apparently the most remote in space, time, and constitution, without referring more or less to the doctrine of final causes, and to the *design* of a superintending Providence. We call it the highest pedantry of intellect to put to silence suggestions which arise spontaneously in every mind, whether cultivated or not, when engaged in such contemplations; and we are sorry to observe in the work before us a silence on such topics so pointed a; must attract the attention of at least every English reader. We must consider it as part of the same principle that in treating of works on the general objects and ends of science, Dr. Whewell's *History and Philosophy of the Inductive Sciences* are never mentioned, and even Dr. Buckland's *Bridgewater Treatise* is quoted by a wrong title.

We had something to say (if time permitted) upon the special subject of the second discourse—the limitation (*Begrenzung*) and treatment of a physical description of the world; which, however, in reality, only occupies a portion of it. We perceive that the English translator has been sorely puzzled by the Germanisms, the subtleties, and the digressive nature of this composition. For ourselves, we can only say that, after a careful study of it, our notions of the subtle something which the author wishes to define under the name of *Cosmos* remain invested with a somewhat hazy want of precision. Notwithstanding the declaration (p. 61) of our author's dislike to new terms, and of his attachment to facts instead of words, we venture to think his introduction of the word *Cosmos* into our vocabulary unnecessary, and the word itself, after all, indefinite. As to its necessity, we perceive that our author finds fault with physical geographers in the treatment of their science on two grounds—1st. as limiting it to a mere detail of terrestrial peculiarities, such as heights of mountains, declivities of rivers, or forms of continents, without reference to any governing or predominant principle by which these facts may be classified, which he reserves to the science of *Cosmos* (p. 53): and 2ndly, as treating of our globe only incidentally as a member of the planetary system, and not treating of sidereal and planetary systems first, and our earth as a member of one of them. As to the first of these objections, we are satisfied that no physical geographer of the least merit ever thought that his task was completed by a bare enumeration of facts in *geographical* and not in *systematic* order; and to systematize is in such a case to compare—which is all that *Cosmos* does. Our physical geographers have therefore been cosmographers without knowing it. They
may

may say like Lagrange, when Monge's new science of Descriptive Geometry was explained to him, 'Ah! je ne savais pas que je savais la Géométrie Descriptive.' As to the supposed exclusion of terrestrial from celestial physics, it does not really appear to us of much consequence whether the relation of our globe to the other heavenly bodies be treated of, as we believe it has almost invariably been by physical geographers, as a preliminary or introductory chapter to the physical description of the earth, or whether the two be wrought up together into a connected discourse; at least for so trifling a distinction, it seems scarcely worth while to introduce a fresh nomenclature.

We should also have wished to consider how far the philosophy of physical geography can be accurately restricted in the manner which we understand to be the wish of our author (although that wish and these restrictions are, we must add, rather to be collected from the sense than submitted to definition) We are at some loss to perceive why all the most certain part of physical astronomy is omitted, and yet we have a very interesting and minute dissertation upon the hypotheses proposed to explain the fall of aërolites, volcanic eruptions, and many questions of geological and atmospherical dynamics. We are at a loss also to see why the philosophy of botany is to be confined to the geography of plants—why the general doctrines of crystallography and the broad outlines of the sciences of mineralogy and zoology do not form as much a part of the science of *Cosmos* as the prior existence and succession of extinct species, or as the varieties of the human race now peopling the globe? These and other questions we could have dwelt upon, with the wish that we might see these preliminary dissertations re-modelled so as to display, without circumlocution and without ambiguity, the actual division of human knowledge which the author appears to contemplate, and which his systematic acquirements, great experience, and acknowledged authority, eminently entitle him to promulgate. But we have already dwelt long enough upon these preliminaries, and proceed to analyse the main body of the work, the Descriptive account of the Material World, which occupies (with copious notes citing authorities) five-sixths of the volume.

Baron Humboldt thus sums up his purpose in this portion of his work:—

'We commence with the consideration of the depths of space and the region of the farthest nebulae, gradually descending through the mass of stars to which our system belongs, to the terrestrial spheroid surrounded by air and water, to the consideration of its form, temperature, and magnetic tension, and to the world of life which, under the excitement of light, expands itself upon its surface. . . . Everything

thing sensible, which a persevering study of Nature in every direction and down to our own times, has brought to light, is the material from which our delineation is to be drawn ; it includes its inherent testimony of truth and fidelity.'—*Kosmos*, p. 80.

And farther on, after referring to a future section of the work for the history of science, he adds—

' My duty is to depict generally the state of knowledge, according to its measure and limits, at the present time. *Mean results* are the ultimate aim, nay, the expression of physical laws, as regards what is subject to motion and change. They exhibit to us Constancy in the midst of Change and the ceaseless course of events. So, for example, the progress of the modern measuring and weighing science of physics is eminently indicated by the attainment or the correction of the mean values of certain magnitudes ; so numerical cyphers present themselves again, but with an enlarged meaning, as they formerly did in the schools of Italy, the last and only remain of hieroglyphics in our writings, but all-powerful in Cosmical science.'—p. 82.

He thus proceeds in a more lively strain :—

' The zealous philosopher is delighted by the simplicity of the numerical relations by which the dimensions of space, the magnitudes of the planets, and their periodical disturbances, are denoted ; or the threefold elements of the earth's magnetism, the mean pressure of the atmosphere, or the quantity of heat which the sun sheds daily or yearly on any spot of the fixed or fluid surface of our globe. But unsatisfied is the poet, unsatisfied the ever-curious multitude. To both of these, Science seems as if desolate, many questions being rejected as dubious or insoluble which formerly were entertained. In her more rigid form and stiffer drapery she loses the more seductive charm with which she was invested by a philosophy of forms and symbols calculated to deceive the judgment and amuse the fancy. Long before the discovery of the New World it had been supposed that land was visible from the Canaries and Azores. But these were phantoms, not caused by extraordinary refraction, but due only to the conjectures of the spectators, whose longing eyes strove to penetrate the distant haze. The natural philosophy of the Greeks, and the physics of the middle ages, and even of a later period, abundantly offered similar airy visions. At the limits of exact knowledge (as from a lofty island-shore) we cast a sanguine gaze towards unknown regions. The belief of the unusual and the marvellous lends a distinct outline to every creation of fancy ; and the realms of imagination, with their cosmological, geognostical, and magnetic dreams, are immediately confounded with the domain of reality.'—*Kosmos*, p. 82-3.

In the astronomical part of *Cosmos*, our author invariably treats the so-called nebular hypothesis as an ascertained physical fact, and in so far appears for once to abandon the cautious limits of descriptive writing and simple classification which he has imposed upon himself. Not only does he maintain Herschel's doctrine

doctrine of the progressive consolidation of nebulous matter (which, however, he ascribes (p. 87) to Anaximenes and the Ionic school); not only does he affirm this process to be 'going on under our eyes,' and to be in all respects similar to the 'development' of organic beings—thus assimilating the universe to a garden or a forest. He also accepts as established, and apparently not admitting of a doubt, the theory peculiar to Laplace of the *genesis* of nebulous rings by centrifugal force, and the subsequent still more incomprehensible agglomeration of these rings into solitary rotating planets and satellites: and he even assumes it as established (p. 89, 95), that the zodiacal light arises (as Cassini imagined) from a still uncondensed ring of world-vapour (*welt-dunst*) between the orbits of Venus and Mars. On all this doctrine we retain the most energetic doubts.* The progress of discovery at the present time is decidedly unfavourable to it, as every one conversant with the scientific literature of the day is aware of; as a physical description of what *exists*, it is inaccurate, because it is uncertain; as a physical account of what has been and what will be, it can rank at best amongst the numerous list of bold but unestablished inductions. Nor can we think more favourably of an idea of Humboldt's own, that there exists an analogy between the distribution of *plants* and that of satellites in groups round their primary and planets round the sun. A still more palpable similarity would, we imagine, permit us to compare the individuals of celestial groups to the stamens and pistils of flowers; to call our earth and moon of the order *Monandria Monogynia*, Jupiter's system *Monandria Tetragynia*, and the like.† This shows how mere analogies from collocation, without reference to the end or design of the whole, may retard science. What is barely tolerable in the poetry of Darwin, cannot come well from the matter-of-fact pen of the astronomer.‡

It

* The sole phenomenon of our system which might lend countenance to Laplace's notion (and which perhaps suggested it) is the unique and imposing one of Saturn's ring. We observe a very good remark on this subject in Mr. Mouck Mason's 'Creation by the immediate Agency of God,' p. 50, which is undoubtedly correct; to wit, that the excessively small and uniform thickness of this vast expansion of matter (estimated at only 100 miles, with an extreme diameter of nearly 200,000) indicates a degree of oblateness quite inconceivable under the circumstances, the planet whose centrifugal force is supposed to have generated it being almost spheroidal, or flattened at the poles only by one-eleventh part (Laplace, *Système du Monde*, l. 79).

† So Milton—

— 'and other suns perhaps,
With their attendant moons, wilt thou descry,
Communicating male and female light,
Which two great sexes animate the world.'—*Par. Lost*, viii. 148.

‡ *Botanic Garden*, iv. 359, commencing—

'So, late descry'd by Herschel's piercing sight.'

A noble passage, though in Darwin's inflated style. His cosmogony seems to have

It is not to be supposed that much of novelty should be elicited in the purely astronomical part of the subject. But starting with the Nebular Hypothesis, our author manages with much ingenuity to consider in succession a series of phenomena which lead into one another, and which convey us, by easy steps, from the celestial to the terrestrial part of the science of *Cosmos*. Surveying in succession the heavenly bodies with whose density we are tolerably acquainted, the sun and planets, he next passes to comets, whose rarer texture forms a step to that inconceivable attenuation of gravitating matter which constitutes, according to Laplace and Humboldt, the Zodiacal Light; and to shooting stars and aërolites, celestial in their origin, terrestrial in their component parts (iron, nickel, cobalt, manganese, chromium, copper, arsenic, tin, soda, potash, sulphur, phosphorus, and carbon), which bring us down to the vulgar chemistry and geology of our own Earth.

Of cometary astronomy we have (p. 105, &c.) an interesting synopsis, which we should willingly have transferred to our pages were it not too long; besides, our readers will be more interested in parts of the subject more akin to Humboldt's own pursuits. It may be mentioned in passing, as a curious fact, that the earliest valuable observations of comets are due to the Chinese, and extend as far back as the years A.D. 240 (under Gordian III.), 539 (under Justinian), and 565. Our author does not fail to draw a contrast between the terror with which these bodies were then regarded throughout Europe, and the scientific composure of the Chinese. In 837, when a comet of alarming magnitude approached the earth within twice the moon's distance, whilst Louis I. of France was trying to avert the impending danger by vowing to found a monastery, the countrymen of Confucius were coolly measuring the length of its tail and determining its course amongst the stars.

The comets of 1402, 1532, 1577, 1744, and 1843, were so bright that the nucleus was visible in broad daylight; but their well-defined disks are commonly excessively small, and indicate a diameter of but a few hundred miles, or even less. The cometary light is ascertained by Arago to be polarised, and therefore he concludes it to be reflected from the sun; whereas it seems to us that were the matter the same as that of the Sidereal Nebulæ, as has been supposed, it ought to be, like them, self-luminous. The tail is sometimes double (1807, 1843), and in 1744 was divided into six. The apparent length was, in 1618,

some analogy with that in the work before us (*Kosmos*, p. 86), which appears to ascribe to matter generally a power of indefinite 'development' and regeneration, such as is usually admitted only to exist in living plants and animals, and that to a limited degree.

104° or 14° greater than the distance from the horizon to the zenith. The comet of 1680 had an absolute extent of tail as great as from the sun to the earth (95,000,000 miles). A star of the 10th magnitude lost no sensible part of its brilliancy in being eclipsed by Halley's comet in 1835 at a distance of only 2''·2 from the comet's centre (Struve), nor do stars appear refracted out of their course by the intervention of the nebulous matter, which is therefore conjectured to be *dusty*, not fluid. The *mass* of comets is conjectured not to exceed 1-5000th of the earth's at a *maximum*, and perhaps not 1-100,000th at an average.

The periods and eccentricities of comets have, as is well known, an enormous range. Three orbits are considered to lie wholly within the recognised limits of our solar system:—1. Encke's comet, which revolves in $3\frac{1}{4}$ years, and whose aphelion or most distant point lies within Jupiter's orbit; 2. Biela's comet of $6\frac{1}{2}$ years extends its path beyond Jupiter's orbit, but far within Saturn's; 3. Faye's comet (discovered in 1843, and of which the return has yet to be observed) is supposed to have a smaller eccentricity than any other known comet, and a period of $7\frac{3}{8}$ years, with an orbit lying wholly between those of Mars and Saturn.

On the other hand, the comet of 1680 is supposed to reach its aphelion at a distance of 80,000 *millions of miles* from the sun, forty-four times further than Uranus. Yet the nearest fixed star, whose distance has been approximately estimated (α Centauri), is distant no less than 11,000 radii of Uranus's orbit, and the star 61 Cygni 31,000 radii. Yet this same comet of 1680 approached the sun's surface within 1-6th of the sun's diameter, or 7-10ths of the moon's distance from the earth. It was then moving with the velocity of about 250 English miles in a second, whilst at the other extremity of its eccentric orbit it must toil along at the rate of but 10 feet in a second, a speed comparable to that of many large rivers. Nor does it return to the sun until the lapse of 8800 years from the time of its departure.

It is singular, that in enumerating (p. 118) instances of the near approach of comets to the body of the sun, our author has omitted that of 1843, of which the orbit was first calculated by an accomplished young astronomer, M. Plantamour of Geneva, and shown to have a perihelion distance *less* than that of any previously known, even that of 1680.

The next topic is one of general interest, and is treated of with great fulness and originality: the phenomena and origin of meteors, including aërolites and common shooting stars. This part of the work (pp. 120—137) will be studied with interest by men of science as well as by popular readers. It begins by recalling the general phenomena which are probably due to a common cause.

cause. The appearance of luminous fire-balls, sometimes so large and bright as to shed a visible gleam in broad daylight, is unequivocally connected by experience with the fall of *aërolites* or meteoric stones—as was the case (to cite only recent instances) in 1790 at Barbotan in the south of France; in 1794, at Siena in Italy; in 1804, at Weston in Connecticut; and in 1821, in the department of the Ardèche in France. Sometimes a small dark cloud appears to originate the meteoric shower, whose descent is accompanied by a noise like thunder. The fire-balls, which occasionally appear to exceed the diameter of the moon, have every intermediate magnitude down to that of common shooting stars—and this is the strongest, perhaps the sole evidence, for their identity of nature; both one and the other leave phosphoric trains behind them, a real phenomenon, and not due to an optical deception, as has been sometimes imagined (p. 394, note 30). The important consideration which has recently recalled particular attention to these curious and beautiful appearances of luminous meteors, is their alleged *periodicity*. On this subject Humboldt says:—

‘Shooting stars fall either singly and rarely (sporadically), or in groups of many thousands. In the latter case they are periodical, and generally move in parallel directions. Of periodic groups the best known are the November-phenomenon (12th—14th of November), and that of the Feast of St. Lawrence (10th of August), whose “fiery tears” have long since been suspected by tradition, and in an old monkish Calendar,* to be a recurring meteorological phenomenon. Although a mixed shower of falling stars and fireballs was seen in the night of the 12th—13th of November at Klöden near Potsdam, and in 1832 throughout all Europe, from Portsmouth to Orenburg on the Ural river, and even in the Isle of France in the Southern Hemisphere, still the idea that great meteoric showers are connected with certain days was first occasioned by the observations of Olmsted and Palmer in North America, on the 12th—13th of November, 1833, when the falling stars appeared compressed like snow-flakes about one spot in the sky, so that in nine hours not less than 240,000 must have fallen. Palmer in Newhaven (Massachusetts) recollected the meteors of 1799 (also on the 12th—13th of November), which were first described by Ellicott and myself, and which it is proved, by the observations which I have cited, were simultaneously seen in the New Continent from the Equator to Herrnhut in Greenland (lat. $64^{\circ} 14'$), and between 46° and 82° of longitude. The identity of the periods was observed with astonishment. The meteoric stream which filled the whole sky on the 12th—13th of November, 1833, from Jamaica to Boston, was repeated on the night of the 13th—14th of November, 1834, in the United States of North America, but with somewhat less brilliancy. In Europe the periodicity has been since more regularly established.

* Said to exist in Corpus Christi College, Cambridge.

• A second

‘A second equally regular meteoric shower is that of August—the shower of St. Lawrence (9th—14th of August). In the middle of last century Musschenbroek had remarked the frequency of meteors in this month; but the certainty of their periodical return at the period of St. Lawrence’s day was first established by Quetelet, Olbers, and Benzenberg. No doubt in time we shall discover other periodically recurring streams—perhaps about the 22nd—25th of April, and the 6th—12th of December, the 27th—29th of November (remarked by Capocci), and the 17th of July.’—*Kosmos*, pp. 129, 130.

It is impossible to deny the startling forte of these recurring exhibitions, as leading naturally to the conjecture that meteors are Cosmical, and not atmospheric phenomena as Halley first supposed;* for how, otherwise, can we account for a periodicity depending solely upon the time of year, that is, upon the earth’s geocentric longitude or position in space? If the periodicity were certain, it would seem impossible to entertain any other supposition than that these bodies, the very same with the ferruginous (unoxidated) and stony masses (resembling *dolerite*, a trap-rock) which sometimes fall to the ground with such a velocity as to penetrate ten or fifteen feet into the soil (p. 122), are independent planetary bodies circulating round the sun (not the earth) with a mean velocity, distance, and period similar to that of the earth in its orbit; for under no other circumstances could they remain thus, as it were, suspended in space, ready to meet the earth at the points of mutual intersection of their respective orbits (the orbit of the meteors being more or less inclined to that of our planet). Undoubtedly no more exciting question in natural philosophy could be started: we will briefly add such particulars from the details given by Humboldt as may assist in forming a fair judgment, though probably the cautious reader may be of opinion that the time for decision has not yet arrived.

The most important observations, next to the periodicity, concern the absolute height, velocity, and magnitude of these bodies, including, for the present, fireballs and falling stars in one category. From the observations of Brandes and Benzenberg, the height varies from 16 to 140 English geographical miles. If this estimate be correct, some shooting stars are undoubtedly seen within the limits of the atmosphere, but others are as certainly far beyond the extreme bounds which have ever been assigned to it. Hence the atmosphere cannot be necessary to their luminosity, and indeed it is not easy to conceive how it should be so, in the state of extreme tenuity which its upper regions must present. The apparent or relative *velocity* of the meteors (supposing the earth at rest) would be by the same authorities from eighteen to thirty-six

* Philosophical Transactions, vol. xxix.

nautical miles a second, which can only be compared to planetary velocities. In this our author finds a powerful argument against those who have ascribed the origin of these bodies to lunar volcanos. For the velocity with which a body launched from the moon with just sufficient speed to escape from the lunar attraction (8000 English feet) would reach the earth, would be no more than six miles a second. The remaining velocity of twelve to thirty miles a second would therefore be due to the projectile force of the lunar volcano, which far exceeds all probability.

The height of the meteors and their apparent size being known, their real dimensions may be calculated; and the largest, according to Humboldt, vary from 500 to 2600 (French) feet in diameter. These are vast indeed, worthy of being considered planetary fragments. The meteor of the 18th of August, 1783, observed in England, was apparently as large as the moon, and was computed to have exploded at a height of fifty miles, whilst moving with a velocity of at least twenty miles a second, and to have had a diameter of half a mile;* yet the fragments were never found. The largest known meteoric masses (two in South America) have, according to Humboldt (*Kosmos*, p. 123), a length of between seven and eight feet; but they are doubtless only fragments.

Another circumstance of much importance is the *general direction* of apparent motion of these so-called periodic streams. On this point we shall give Humboldt's own account:—

'A striking confirmation of the opinion of the Cosmical origin of such phenomena was obtained by Denison Olmsted of Newhaven (Massachusetts), who has shown that, from the testimony of all observers, the fireballs and falling stars of the 12th and 13th of November, 1833, appeared to be directed *from* one and the same point in space near γ Leonis; nor did they deviate from that origin, although the star changed its apparent altitude and azimuth during the long continuance of the observation. Such an independence of the earth's rotation proves that the luminous bodies reached our atmosphere from the planetary spaces *beyond it*. From Encke's calculation of the whole observations made in the United States between the latitudes of 35° and 42° , they must have come from the point in space towards which the earth's motion was then directed.'—*Kosmos*, p. 126.

It has been supposed that the less exact observations in August confirm the same view. But it is worthy of note that such an hypothesis as to the general direction of the meteors, must not only be universal if true, but supposes the meteors to be directed in their orbits diametrically opposite to the earth's motion at the moment; for, as we have already observed, it is mechanically im-

* Philosophical Transactions, 1784.

possible that they should be *still* in space, and the earth merely dash through them; and in any other case than a concurrent or diametrically opposed motion to the earth's, their apparent paths must be the resultant of their own motion and that of the earth, and therefore *not* directed from the point towards which the earth is moving at the time. These considerations suggest doubts upon which our limits do not allow us to enter.

It is impossible, however, to deny that the considerations which we have detailed, seem to confirm the opinion entertained even by some Grecian philosophers, that *aërolites*, at least, are uncombined portions of the matter of which our planetary system is composed. The fact that their constituents (already enumerated) include (so far as our chemical analysis extends) no ingredient not already recognised as composing the crust of our planet, is highly interesting and perhaps unexpected. But instead of drawing the conclusion that *therefore* they must be of terrestrial origin, we agree with Humboldt, that it is more philosophical to imagine (as Newton is said to have done) that the matter of all the bodies of our system is nearly alike; nor will it take away from the interest with which the geologist regards the meteoric fragment which he has been fortunate enough to secure for his cabinet, that it represents a portion of the *rough material* of the universe, that which Omnipotence has elsewhere wrought into suns, and planets, and satellites;—it is a portion of *primæval chaos*.

The doctrine of the periodicity of the meteors, of their fixed direction in space, and their consequently forming a zone of revolving atoms in space, was quickly seized upon by the astronomers and naturalists of Germany, and was carried out perhaps beyond the limits of a rigorous induction. Not only was the periodicity in our own day admitted (the far more numerous blank years than those distinguished by the meteors being overlooked), but old chronicles were ransacked for records of similar appearances. Considering that such occurrences were almost as carefully registered in the annals of superstition as in those of science, it is not wonderful that in the course of nine centuries three or four such displays should be authentically noticed as occurring about the same time of year (*Kosmos*, p. 399). Even to obtain this partial confirmation, a latitude of almost a month required to be allowed. But this circumstance no way disconcerted the German astronomers: they forthwith imagined a *precession of the nodes* of the meteoric ring with the earth's orbit, which causes a continual retardation in the period of conjunction. But more than this, a German writer of credit has attempted to explain an anomalous meteorological fact (which, however, very probably depends upon the

the local position of Europe), the occurrence, namely, of some days in February and May, which are colder than the regularity of the annual curve of temperature would assign, to the intervention of this problematical zone of asteroids between the earth and sun at these periods! We are surprised to see that our author lends his distinguished countenance to this most rash and improbable hypothesis.

Whilst the cosmical origin of true *aërolites* may be admitted to be more than barely probable, long and patient experience must be required before the 'November phenomenon' can be placed in the same category. The common nature of true *meteorolites* and falling stars, though once admitted by the sagacious Chladni, was finally rejected by him, and was also rejected by Humboldt himself long after he had observed the November meteors of 1799.* The great diversity in their directions, attested by almost every author until the supposed discovery of their radiation from the constellation Leo; the fact that more than thirty years elapsed in our own day, during which they are only once recorded to have been seen; the fact that whilst hundreds of thousands of meteors have been seen in one night at one place, no single meteoric mass has fallen synchronously at any known point of the earth's surface, but that, on the contrary, *aërolites* have fallen indifferently at every season of the year; the fact that these meteoric showers are sometimes so local, that in 1837 they made a great show in England, but constituted no phenomenon at all in Prussia, where they were carefully watched for;—all these circumstances constitute unexplained difficulties. How to reconcile them with any theory—'nous ignorons comme on l'ignorait du temps d'Anaxagore.'†

From the digression on meteors our author returns to sidereal astronomy, in which he gives a neat summary of what is known or inferred respecting the physical conditions and distances of the fixed stars, the proper motion of our own system (p. 149), and of double stars about their common centres of gravity (p. 152). The luminous phenomena of occasional and variable stars he elegantly and justly describes (p. 160) as 'Voices of the Past'—(*Stimmen der Vergangenheit*). These topics are pretty well known to English readers, particularly from Sir John Herschel's excellent writings.

At last we descend upon *terra firma*, and our author proceeds to a description of our globe and its phenomena. He gives first an interesting detail of the physical bounds of our acquaintance with it—limited indeed, compared to its vast extent. The greatest depth below the sea-level to which the solid earth has been pene-

* Humboldt, *Relation Historique*, 8vo., iv. 47.

† *Ibid.*, p. 52.
trated

trated is about 2000 feet, or little more than 1-10,000th of the earth's radius; but the unfathomed ocean has been penetrated by Sir James Ross's lead to a depth of 25,400 feet, or nearly five miles, no bottom being found. The depth of the trough-shaped geological basins of the coal formations (containing fossils) in Belgium, is, from probable data, estimated at 5000 or 6000 feet below the surface of the sea. The highest of the Himalaya (Dhawalagiri) rises to 28,000 English feet, though that height has never been attained by man. When to this we add that volcanos pour forth matter derived (according to Humboldt, p. 166) from a depth of 25 English miles or more, we have an idea of the smallness of the portion of our earth (a spheroid nearly 8000 miles in diameter) which we can explore. The lowest exposed part of the terrestrial surface is the Dead Sea, which is (*Kosmos*, p. 419) 1300 feet below the Mediterranean.*

Astronomy, geodesy, and modern physics enable us, however, to determine not only the size and figure of our globe, but its solid contents, compared to a given bulk, for instance, of water. The size and figure are more or less completely determined by three methods;—from the lunar inequalities,—by the measurement of degrees,—and by pendulum experiments: on the two last methods our author has collected in the notes (pp. 421—424) some curious and valuable information. The still more interesting question of the earth's mass and density (*Kosmos*, p. 176, and p. 424) is solved also by three methods;—by the attraction of the plumb-line by mountains,—by the irregularities of the pendulum,—and most satisfactorily and elegantly by the balance of torsion of Mitchell and Cavendish. In treating of the last, our author has most unaccountably omitted the capital experiments of Mr. Baily, which have reduced the previous ones to mere matters of history, and which were already well known at the time at which *Kosmos* appears (by internal evidence) to have been written.†

The state of the earth's interior remains an 'open question;' and as the mention of it is the only part of *Kosmos* which can by possibility provoke a smile, we give our readers the benefit of it.

'In order to bring the known small ellipticity of the earth into conformity with the supposition of the uniform indefinite compressibility of its substance, the ingenious Leslie has described the earth as a hollow shell, filled with the so-called imponderable substances possessed of pro-

* Berton and Russeger by the barometer, and Lieut. Symonds by trigonometry. See Humboldt, *Asie Centrale*, ii. 323. See, too, the interesting account of Sir D. Wilkie's Barometrical Observations, in his *Life*, by Allan Cunningham, vol. iii.

† Mr. Baily's result (5.66 for the earth's specific gravity) appears in Mr. Studer's excellent *Physical Geography*, published in Germany in 1843.

digious repulsive power. These hazarded and arbitrary opinions called forth still more fantastical dreams. The internal sphere is by and bye peopled with plants and animals,* upon which two little subterranean planets, Pluto and Proserpine, shed their mild lustre. An equable temperature prevails in these tetrestrial spaces, and the air, rendered luminous by compression, might well allow us to dispense with the infernal planets. Near the North Pole, in lat. 82° , is a huge opening, whence the Polar lights stream forth, and by which we can enter the interior of our globe. Sir Humphry Davy and myself have been repeatedly and publicly invited by Captain Symmes to such a subterranean expedition!—*Kosmos*, p. 178.

The only reasonable notion which we can form of the interior condition of our planet is derived from the observed increase of temperature as we descend in mines or examine water rising to the surface from Artesian bores. Baron Humboldt gives (note 8 p. 426) a number of the individual results which lead to the general conclusion that the rate of increase is about 1° Cent. for 92 French feet of descent (1° Fahr. for $54\frac{1}{2}$ English feet). It is plain that if this rate be uniform, or tolerably uniform, all known substances would be in a state of permanent fusion at no very great depth. Humboldt estimates the depth at which granite must be fluid at 21 English miles (*Kosmos*, p. 181), which is less than five times the height of the Himalaya, and little more than $\frac{1}{400}$ th of the earth's diameter. In treating of the proper heat of the earth, our author adopts (we think rightly) the views of Fourier, rejecting as arbitrary the modifications of Poisson, a most distinguished mathematician, but a very poor physical theorist.

In connexion with the general question of the earth's heat our author treats of Magnetic phenomena, as being probably caused by electricity, and through electricity by heat. Speaking of the almost simultaneous disturbances of the needle over large spaces of the earth's surface, he says :—

'These synchronous perturbations may serve for the determination of geographical longitudes within certain limits, like Jupiter's satellites, signals, and well-observed falling stars. We learn with astonishment that the movements of two small magnets, even were they suspended deep in the interior of the earth, may serve to measure the distance between them; that they show how far Kasan lies eastwards from Göttingen or the banks of the Seine. There are also places on the globe where the navigator, surrounded by fogs for many days, without sun or stars, and without any means of determining the time, can tell with certainty from the magnetic dip whether he is placed north or south from the haven of which he is in search.'—*Kosmos*, p. 185.

* Halley seriously entertained such an idea, and compares the earth to an habitation of several stories, inhabited within and without.—*Phil. Trans.*, 1693, quoted in *Kosmos*, p. 425.

This last application of magnetic science to navigation was, as Humboldt tells us (*Kosmos*, p. 429), proposed by our most ingenious countryman, Gilbert, soon after the invention of the dipping-needle by Norman, towards the end of the 16th century. It is particularly applicable, says Humboldt, to the navigation of the west coast of South America. It must be added, however, that the determination of longitudes, widely apart, by means of magnetic perturbations, seems a doubtful application, since the publication by Colonel Sabine of the comparative curves of disturbances at Toronto and at Prague, which do not present the strict accordance noticed in the European observations.

Terrestrial Magnetism, its recent history, and the especial interest which attaches to it at the present moment, from the unexampled labours in different parts of the globe, patronized by the Russian and English governments and by the East India Company, in order to advance it speedily and effectually, have been fully explained in an article in the *Quarterly Review* for 1840. We may therefore pass rapidly over one of the most attractive subjects which the enlarged science of physical geography presents. It will be sufficient to remind the reader that the science of terrestrial magnetism (empirically considered) involves three elements,—variation (or declination), dip (or inclination), and intensity;—and that the simultaneous condition of these three elements may be expressed by the ingeniously compendious notation of curved lines, drawn upon a terrestrial map—passing through all the points which have the same magnetic variation, for example—and so likewise for the other two elements. It is impossible to estimate too highly the value of such graphical methods; at first only technical memories, they become engines of the most subtle discoveries. These elements *vary*. They vary from age to age, so that the magnetic charts do not remain exact for any considerable space of time. They have also annual and diurnal charges, which are therefore periodic, and capable of being represented empirically in functions of the time—the elements returning to their original values, after the lapse of a year and of a day respectively. They are also disturbed in an irregular and capricious manner, as we have already mentioned, and to these disturbances we shall immediately return.

In Humboldt's *notes* the reader will find some curious information on this part of the subject. The total intensity of the magnetic forces was studied much later than the others, and up to a recent period no kind of approximation had been made to the *isodynamic* lines. Humboldt considers his ascertainment of the *gradual decrease* of intensity from the temperate zone to the equator as the most important result of his great journey to the Tropics

(*Kosmos*, p. 434). We appreciate, therefore, the magnanimity with which (note 29, p. 432, &c.) he discusses the claims of his predecessors to this discovery. Humboldt announced his conclusion to the Paris Academy of Sciences on the 26th Frimaire, An XIII. (17th December, 1804), which established the universally received value of the magnetic intensity at Paris $= 1.3482$; that at the magnetic equator in Peru being 1.0000. Admiral de Rossel's result, though founded on observations made in 1791-4, was only published in 1808; and consequently it is uncertain whether their author was aware of their exact import sooner, since he had certainly not communicated it to his friends. But Humboldt has found, from an unpublished letter of Lamanon, that this important fact had been already expressly deduced; in 1787, from the observations made during Laperouse's voyage. The scientific world will have little difficulty in leaving Humboldt in possession of the reputation which his discovery has given to him, since, though (like most other great facts in science) only a rediscovery of something already known or guessed at, he first saw its importance, and published it to the world, accompanied by sufficient evidence.

There is a long and very interesting note (36, p. 436) which gives a detail, highly creditable to Baron Humboldt, of the share which his eminently practical mind has had in forwarding the science of magnetism, and in aiding, and indeed *originating*, the impulse which that part of physics has received in our own day. From this note it appears that, after his return from America, whilst residing in Berlin, in 1807-8, he commenced a series of *closely consecutive* magnetic observations, pursued day and night for several days, at the period of the solstices and equinoxes, in which he was aided by his friend Olmanns. These observations, which probably were originally intended to ascertain the regular diurnal periods whose existence had been known for the greater part of a century, led to the discovery of recurring but irregular perturbations—called by him *magnetic storms*—which he immediately perceived the importance of studying with reference to their simultaneity in different parts of the earth's surface. But circumstances prevented his following them out. His change of residence to Paris, and the political convulsions of the time, were amongst these; and here we are again reminded, in our perusal of Humboldt's Personal History, of the inestimable benefits to science of the profound peace which we at present enjoy. Oersted's great discovery of the connection of electricity and magnetism awakened in 1820 fresh attention to the subject: and we presume it was by Humboldt's advice and influence that his friend Arago's valuable (but hitherto unfortunately

nately unpublished) magnetic observations at Paris were compared with simultaneous observations at Kasan in Russia, when the similarity of the perturbations and the influence of the Aurora Borealis were clearly perceived.* On Humboldt's return to Berlin, in 1828, he recommenced his own long-interrupted labour, with the advantage of simultaneous comparable observations at Paris and in the depths of the Saxon mines; and then the similarity and simultaneity of the disturbances were fully proved by graphical projections, which were published in *Poggendorff's Annals*. But this was only a commencement; for the following year (1829) having undertaken, by desire of the Emperor of Russia, a scientific journey to Siberia, he took occasion to recommend to the Emperor the establishment of a chain of magnetic stations in his vast dominions. The Academy of Sciences, and Corps of Mines, obedient to the Imperial decree, instituted at Humboldt's suggestion the system of observation which has since been continued and improved.

Our author next speaks in most becoming terms of his acute countryman *Gauss*, who soon after (1832) taking up the subject both mathematically and practically, increased as much the delicacy of the methods of observation as the value and definiteness of the observations themselves, considered as the elements of a physical theory. But when the test of this theory was involved in the institution of physical observations at many points, as remote as possible from one another over the globe, Humboldt's influence and Humboldt's *savoir* were again called into requisition. Casting his eyes over the political divisions of the earth, he saw that if England and Russia combined their influence the problem would be solved. In 1836 he wrote to the Duke of Sussex, as President of the Royal Society, desiring his and their influence with the British government to have magnetic observations established at points of our colonial possessions, which he had already, five years before (therefore previous to Gauss's publication), indicated as important for the ends of science; namely, Canada, St. Helena, the

* Not, however, discovered for the first time. The simultaneity at distant points had already been ascertained by Celsius and Graham, in 1711, whilst residing the one at Upsala and the other in London. The magnetic influence of the Aurora, which Humboldt (p. 199) attributes exclusively to Arago (*wie Arago zuerst entdeckt hat*), was clearly established by the Swedish observers, Celsius, Hiorter, and Wargentin, between 1740 and 1750, in a number of special cases, the details of which are recorded. These being detailed in Kämtz's *Meteorologie* (iii. 491, &c.), in the very part of that work cited in the *Kosmos* (p. 412), we do not think that our author was entitled to pass them over in favour of the French Academician. If he justifies it on the ground of the observations being made at so great a distance from the Arctic Circle as Paris, he should recollect an observation of his own made in 1806, and demonstrating the same fact (Gilbert's *Annalen*, xxix. 425, quoted by Kämtz). We find in all this a disagreeable tampering (even at a personal sacrifice) with the integrity of scientific history.

Cape of Good Hope, the Isle of France, Ceylon, and New Holland. These requisitions have been, to the national honour of Britain, almost literally carried out; and though the results are yet very imperfectly known, and cannot now be further alluded to, Humboldt must derive imperishable fame from having originated and impelled the movement, which was in his own country so powerfully stimulated by the sagacity of Gauss, and so generously acted on in ours by Herschel, Sabine, Airy, Lloyd, and Brisbane.

In page 428, Note 13, at the end, Humboldt, speaking of observations of 'Magnetic Storms,' uses these expressions:—

'One of the most remarkable disturbances was that of the 25th of September, 1841, which was observed at Toronto in Canada, at the Cape of Good Hope, at Prague, and partially in Van Diemen's Land. The English festival of Sunday, upon which it is *sinful* (*sündhaft*) after midnight on Saturday to read off a scale or to follow out in all their development great natural phenomena, put a stop to the observation, since, on account of the difference of longitude of Van Diemen's Land, the magnetic storm happened there upon a Sunday!'

We are surprised that Baron Humboldt, usually so cautious in imputing blame, should have thus attempted to cast ridicule upon the English Government and English men of science, and upon such a ground. But the statement having been made in ignorance of how these things are really managed with us, it requires a word of explanation. It is quite certain that the English philosophers declined to accede to the Göttingen 'terms,' or fixed days of continued observation from five minutes to five minutes for twenty-four hours or more, which had been fixed, in defiance of the immemorial usage of all Christian communities, UPON SUNDAYS, 'for general convenience' (of the Jews, we suppose). 'Here is no question of whether the mode of keeping the Sabbath in Scotland or at Geneva, in England or at Rome, be most correct; it is no question of whether amusements are to be indulged in or not; whether or not the theatres should be shut; it is the simple question whether the seventh day is to receive any distinctive observance whatever—whether the hebdomadal division of time, which even Laplace traced in its origin to the very dawn of civilization, is to be annihilated. Is there, we would ask, an observatory in Europe which has not its *congés de Dimanche*? In any country where we ever spent a Sunday it was claimed even by those who wholly neglected its religious duties, by a prescriptive and infeasible right as a day of unbending, of relaxation, and of social converse. We need but mention a single instance, because it expresses the extreme case of compliance with a usage handed down from the remotest generations: we mean the practice of the Polytechnic School of Paris, where
Sunday

Sunday is kept 'holiday.' But our German friends emancipated themselves even from these relics of an ancient superstition, and declared that the first day of the week should be the hardest day of all; when the whole energies, physical and intellectual, should be concentrated from minute to minute and from hour to hour (so long as the wants of nature could be postponed), on the incessant watching of three vibrating bars. To those who understand what such tasks imply, we need say nothing of this becoming Sunday's employment; but we may mention, for the information of others, that one of Gauss's most zealous pupils had almost sacrificed his life, through the consequences of a brain fever caught under the burning climate of Sicily, solely from pursuing the Sunday's *relaxations* of Göttingen. We repeat, that such a positive institution of Sunday term-days was disgraceful to Christendom, and it was so felt by the English philosophers, who refused to join the German confederation of magnetists in carrying out their system of observation. The confederation were therefore fain to indulge the English scrupulosity, and hence no doubt the sally in the *Kosmos*. When Mr. Airy (our excellent Astronomer Royal) mentioned these circumstances at the most crowded meeting which took place in the Senate-house at Cambridge, during the late visit of the British Association, the unanimous opinion of the assembly was sufficiently marked.

But if Baron Humboldt had lived longer in England, or had even questioned any one competent English authority, he would have known that it would *not* be considered as 'sinful' by, we suppose, any scientific man in this island to read off a scale after the clock had struck twelve on Saturday night, in order to observe an extraordinary natural phenomenon. Here is an example in point. In 1836 an annular eclipse of the sun was visible in the northern part of this kingdom (where the observance of Sunday is supposed to be more strict than elsewhere) *during church-time* on Sunday, the 15th of May. What was the consequence? The service was postponed, and the whole population saw the phenomenon, astronomers inclusive. The usage at Greenwich Observatory we believe to be this: the whole staff are at liberty on Sunday, except when an observation is to be made of no great continuance, and which is likely to be of value to the interests of astronomy, or for the special improvement of the lunar tables;—any extraordinary or unique phenomenon would be observed as a *matter* of course—but computations and all other work which can be done during the rest of the week are entirely suspended. Being ourselves fully inclined to regard the usages of different countries and sects with charity, and, indeed, to admit that no absolute standard of conduct

duct can be named on this subject suitable to all nations and all times, we are surprised that a cosmopolite traveller and grave sage should have on this occasion permitted himself the double indulgence of a blunder and a sneer. *

There is that, however, in the case before us which requires it to be judged by a more specific rule than that of national morality or individual opinion. The system of magnetic observatories in the colonies is a military one, conducted solely by military men, officers and non-commissioned officers of the Royal Artillery.* In every department of the public service complicated systems of duty must be conducted on fixed and precise rules. As artillerymen, they were engaged to work six days in the week, not seven. No option could be left to them to observe on Sundays or not, as they pleased; it would have been an unfair imputation of want of zeal upon any whose conscientious scruples or the limit of physical strength did not admit of their complying. And the importance of this rule of no work on Sundays is so great, that not to have adhered to it must have changed the whole system of observation. For the personal strength of the observatories must have received a large accession in order to overtake the exhausting labour of *perpetually* observing and computing. To do a sixth part more work would have required, we are certain, a far more than proportional increase of the staff, and besides must sooner or later bring upon the most zealous a sense of unremitting drudgery. A periodical *absolute* cessation of a kind of work in its nature calculated to produce speedy satiety, is undoubtedly on mere human principles a most wise legislative and economical provision. We reply, then, to those who wish the colonial observatories to be worked seven days a-week, in the characteristic language of the French functionary, 'It would be worse than a crime—it would be a *blunder*.' And where, after all, is the loss? Perhaps during the whole five years that the observations were intended to continue, a second great disturbance might not occur on Sunday, and in any period of observation six such will be observed for one that is missed. As to mean results, the omission of the seventh day is inappreciable; and if it be said that magnetic disturbances come under the class of extraordinary and unique phenomena, before which the repose of Sunday gives way as matter of common sense, we must observe that these disturbances can only be seen by watching for them; they do not *yet* (whatever art may one day ~~obscure~~ ^{discover}) announce themselves. To note disturbances at all on Sundays requires the usual observations to be

* Colonel Sabine's Introduction to Observations at Toronto, 4to. 1845, p. 13.

made as a matter of course ; and where the system of observation extends round the globe, to have *universally* simultaneous comparisons could not be effected otherwise.

After all, we do not suppose* that if the officer in command at Van Diemen's Land had been aware of the peculiar interest of the phenomenon, of which the observation was commenced on Saturday, he would have been deterred, either by conscientious scruples or by the fear of disobeying orders, from pursuing his inspection of the magnets after the clock struck twelve. But we see one circumstance in the detail of the observation as published by the Board of Ordnance,* which leads to a different conjecture ; the observation at midnight ' was missed ;' the last recorded was 11h. 45m. (local time). The facts seem to speak for themselves ; no doubt our non-commissioned officer, worn out by many hours' watching, *fell asleep*, and perhaps was awakened to a sense of his position by the bright sun of a Sunday morning, pleasant to him as a day *civilly*, at least, if not magnetically, free from perturbations. To conclude—we have carefully examined Sir James Ross's observations made at sea in the late Antarctic expedition (Phil. Trans. 1843, 1844) with a view to this question. The result is such as we should have anticipated. Sir James's short stay in the perilous seas of these high latitudes, whither he was sent expressly for the accumulation of magnetical observations, impelled him to use every favourable opportunity, whether on Sunday or not, for making such observations as, requiring but a short time, if postponed, must have been inevitably lost.

From Magnetism the Baron proceeds to the consideration of the Polar lights, which are so evidently connected with it. We wish we could afford space to transcribe his excellent picture of auroral phenomena (p. 199), and his judicious remarks on their connection with circumstances purely atmospheric ; we should have demurred, however, to his comparison between our Polar lights and the feeble phosphorescence (as it has been called) of the unilluminated parts of the moon and Venus ; and we should also have questioned whether science is advanced by classifying under the common head of 'earthlight' such diverse facts as the aurora, the supposed luminosity of certain fogs, the *animal* light of the ocean, and the 'dark light' of Moser's pictures (*Kosmos*, p. 206, &c.) ; but our diminishing space warns us to be brief, and we pass on to the important class of facts more immediately connected with geology.

The doctrine of the heat of the earth led us in one direction

* Sabine on Observations of unusual Magnetic Disturbance, 4to, 1843, p. 87, col. 1. to

to the magnetic and electric phenomena which appear to be intimately connected with it (as exemplified by the similarity of the isothermal and magnetic curves first noticed by Sir D. Brewster, and by the fact of diurnal and annual magnetic periods); but there is a very different class of effects probably also due to it—the production, namely, of hot-springs, earthquakes, and volcanoes, the elevation of continents, the rupture of strata, and the metamorphosis of rocks. This mode of presenting the connected sciences is not less elegant than just. The range of phenomena connected with volcanoes (which form as it were their middle term and most characteristic type) is startling, but cannot be denied to be ingenious. It commences with earthquakes (p. 210), emissions of gas, of water, *i.e.* cold and hot springs, pure or mineral; next, mud volcanoes, lavic volcanoes possessing craters, dome-shaped trachytic mountains, whose matter has been ejected, but not burst open into the crater form: lastly, elevation craters, or mountains elevated and opened at top, but without emission of lavas. Of all this we should like to have given some account, but the reader of Humboldt's writings cannot expect much new on the subject of volcanoes. Teneriffe and Pichincha are already old friends; and for European volcanoes, and, we may add, for the whole theory, our author simply reproduces the well-known views of Von Buch.

In treating of geological formations the Baron describes rocks as distinguished by their origin into two divisions, which he somewhat quaintly calls *endogenous* and *exogenous*, from the alleged fact in botany that some plants increase from the exterior or by superposition of coats, whilst others are constantly pushing their fresh supplies of material from within outwards. The analogy (even supposing the botanical fact admitted, which is not the case) is undoubtedly more apparent than real, and expresses no more than the division of igneous and sedimentary rocks, with which geologists have long been familiar. Without quarrelling with names, however, we find formations divided according to their origin into four classes (p. 258). The first is the *endogenous*, or, as it has been better termed by some English geologists, *hypogene* class. It includes, according to Humboldt—1, granite and syenite, on which formations he gives some curious details, especially as to the extensive superposition of granite upon slates in the valley of the Irtysh in Siberia (p. 262); 2, quartz porphyry; 3, greenstone: ~~4, hypersthene~~; 5, euphotide and serpentine; 6, augitic rocks; 7, basalt and trachyte. The second class of rocks, which are, according to the author's view, *exogenous*, include sedimentary deposits of matter either dissolved or suspended in a fluid;

fluid; such are—1, slates, up to the Devonian series; 2, coal-formation deposits; 3, the whole series of limestones—except 4, travertine or modern fresh-water deposits; 5, deposits formed of *infusoria*. The third class is composed of rocks, also sedimentary, but transformed in their physical and chemical characters by the superinduced action of the endogenous rocks of the first class. This introduces us to the wide and curious field of metamorphism, which the author illustrates by an interesting collection of examples and special cases, commencing with the effects of heat upon crystals and simple substances observed in the laboratory by Rose and Mitscherlich, and on natural and artificial compounds variously cooled, by Sir James Hall and Gregory Watt (p. 271, 274, 457). Cases occurring in nature are next considered, such as the crystallization and formation of new cleavages in slates near their junction with igneous rocks, and the tendency to the development of segregated quartz in those formations (p. 272); the conversion of chalk and oolite into statuary marble, and of limestone into dolomite or into gypsum by the presence of certain intrusive rocks (pp. 272, 274, 278). The formation of quartz rock, and those in which garnet enters abundantly, is also considered as a metamorphic action. The doctrine of metamorphism has received no stronger confirmation than from the artificial production of simple minerals by processes of long-continued heat. Humboldt distinguishes those found accidentally in the slaggy produce of furnaces and those which have been directly prepared by art from the known ingredients. The following enumeration contains *crystallized* products:—of the first class or accidental—felspar, mica, augite, olivine, blende, specular iron-ore, magnetic iron-ore, and metallic titanium; of the second, or synthetically formed,—garnet, idocrase, ruby (as hard as Oriental), olivine, and augite. To the latter class we might add the very remarkable case of lapis lazuli, which is a volcanic (or at least metamorphic) product, and which has lately been produced from its elements by heat in the synthetic way; but not, we believe, crystallized.

The fourth class of rocks is the conglomerate, including those sandstones which contain the débris of old formations and the 'Reibung's Conglomerate' of Von Buch, which are igneous rocks, including pebbles of the same nature with the basis (p. 282).

The consideration of the *arrangement* of the kinds of formations now described, leads to the notice of Fossils ~~and~~ distinguishing types of geological equivalents, as the chronometrical indices of the age of strata—a discovery commonly thought to be modern, but which our author unequivocally attributes to Robert Hooke in 1688 (*Kosmos*, p. 284 and 466). Of the exquisite preservation

tion of fossil animals our author gives this elegant illustration, borrowed from the Dean of Westminster :—

‘ In the lower Jura formation (lias of Lyme Regis), the preservation of the ink-bag of the cuttlefish is so perfect, that the same material which myriads of years ago served to defend the animal by concealing it from its enemies, yields an excellent colour (sepia) with which its portrait may be drawn.’—p. 285.

Our author seems disposed to adopt Agassiz’s opinion, that with one single exception no fossil fish has been found in any part of the transition, secondary, or tertiary series, which is specifically identical with any living specimen; and below the chalk the *genera* are all extinct (p. 288). But in contrast with the statement (not in contradiction to it) he places the discovery of Ehrenberg, that whole masses of the chalk formation are actually composed of microscopic shells identical with those of our present ocean in temperate latitudes. Whence he infers, that the term *Eocene* cannot be justly applied to tertiary formations, since the *dawn* of existing species is already to be found much lower.

The development of fossil geology is necessarily brief :* in p. 291 we have a condensed enumeration of strata in the order of superposition. The vexed question of diluvial phenomena and transported blocks is left almost untouched; our author merely intimates in one place (p. 299) his preference of the old theory of Von Buch, that they are due to currents of water caused by the sudden elevation of mountain chains, rather than to icebergs or any other cause.

After mentioning with deserved praise Elie de Beaumont’s maps of the comparative extent of land and sea at different geological epochs, Humboldt thus sums up :—

‘ The result of the researches on the relative areas of the dry land is this ;—that in the earliest times (the Silurian and Devonian Transition Epochs) and in the oldest secondaries, the dry land, the surface covered with plants, was confined to detached islands; that at later epochs these islands were united, and the deeply indented bays became inclosed as lakes; that at last when the mountain chains of the Pyrenees, Apennines, and Carpathians arose, about the period of the older tertiary rocks, great continents appeared, having almost their present dimensions. In the Silurian period, as well as that when Cycadæ and gigantic Saurians abounded, there might be less land between one pole and the other than we now see in the South Sea and Indian Ocean. How this excess of water, together with other causes, acted to produce a higher and more uniform temperature, will be shown hereafter. We must however remark here,

* The precise geological limit of the great classes of fossils is always interesting. It at present stands thus: *Fish* begin with the Silurian rocks and ascend uninterruptedly to the tertiary formations inclusive. *Saurians* commence in the magnesian limestone (zechstein); *Mammalia* in the Jura formation; *Birds* in the older chalk.

with reference to the gradual growth by agglutination of the newly elevated spaces of dry land, that shortly before the revolutions which after longer or shorter pauses occasioned the sudden destruction in the diluvial period of so many vertebrated animals, portions of the present continental masses were still completely separated from one another. There prevails in South America and in Australia a great resemblance between the living and extinct animals. In New Holland we find fossil remains of the kangaroo; in New Zealand, half-fossil bones of a huge ostrich-like bird, Owen's *Dinornis*, which is nearly related to the living *Apteryx*, but little so to the recently extinct *Dodo* of the island of Rodriguez.'—*Kosmos*, p. 303.

Passing from pure geology, our author next contributes some interesting information on the forms of continents, and on the struggle between the sea and land to which they are due. Relative changes of level are discussed (p. 312, &c.), particularly those in Sweden and of the Bay of Naples, which he considers may be due to great internal pressure, or to the irregularity of expansion of great masses by central heat—an idea due to Beislak, though lately revived by Babbage and Bischoff.* The anomalous levels of the Dead Sea and Caspian are discussed, and the leading phenomena of the ocean, such as its temperature, saltness, tides, and currents, very summarily enumerated (pp. 321—329).

The next topic is meteorology, or the phenomena of the atmosphere, including climate, which has always been, we should say, the subject of predilection with Humboldt, nor perhaps has he done anything so likely to perpetuate his fame as the construction of isothermal lines, and his subsequent researches on their modifications and inflections, including the influence of season and of height. In such processes of first generalization of isolated facts, so as to obtain empirical laws, we find the undoubted *forte* of this distinguished traveller; and the patience and skill with which he has endeavoured to raise meteorology to the position of an exact science are deserving of all praise. There is, however, little in this part of the volume (pp. 332—362) not already well known to readers of his former writings.

Finally, the picture of the physical world is completed by a glance at the wonders of organic life. Animal life, says Humboldt, characterizes the ocean; vegetables, the land; nor could he better illustrate this fact than by a curious extract from Ehren-

* With reference to the rise of the coast of Sweden, it seems to us that our author's too marked partiality for everything done by an eminent friend, has led him in Note 20, p. 473, to treat Playfair's prior and admirable expositions of the phenomena (in the Huttonian Theory, Art. 391, &c.) as being no real anticipation. He so treats them because they were 'entirely unknown to our great geognost (Von Buch), and have exercised no influence on the progress of Physical Geography.' The first of these assertions may be correct, but we respectfully demur to the second.

berg, giving the latest results of his successful and brilliant career of discovery :—

‘ There not only exists an invisibly minute, microscopic life in the vicinity of either Pole, far beyond where larger animals have ceased to exist ; but the microscopic creatures of the Southern Sea collected in the Antarctic Voyage of Sir James Ross, include an unsuspected abundance of hitherto perfectly unknown and often most beautiful structures. Even in the residuum of the melted ice which floats in, rounded fragments in latitude 78° 10', were discovered above fifty species of siliceous shelled *Polygastria* and *Coscinodisks*, with their green ovaries, therefore undoubtedly living and successfully contending with the extreme cold. In Erebus Bay there were drawn up with the sounding-lead from a depth of from 1242 to 1620 feet, not less than 68 siliceous-shelled *Polygastria* and *Phytolitharia*; and amongst them a single calcareous-shelled *Polythalamia*.’—*Kosmos*, pp. 369, 370.

The discoveries of the German microscopist are amongst the most striking of our time. Not content with peopling the depths of even the Polar seas with myriads of living beings, he traces their remains amidst the solid rocks of our globe, where they not only *characterize* but *constitute* whole formations. We know not whether the element of fire may not one day reveal microscopic phœnixes to our astonished gaze, but the air at least is peopled with its legions, and in the dusty rain which sometimes ‘falls’ in the open ocean Ehrenberg has discovered remains of eighteen polygastric animalcula (p. 373).

In the few remaining pages of the volume before us, Baron Humboldt treats of the geographical distribution of plants and animals ; he touches with caution (p. 378) on the vexed question of generation and the origin of animal organization ; and sums up with a brief notice of the natural history of man, whom he (like Dr. Pritchard) pronounces to belong (p. 379) to a single species.

In closing this volume, sufficiently complete in itself, although intended as a precursor to others, we cannot but repeat our expression of unfeigned admiration at the perseverance and research which it displays,—the generally happy selection of facts and skill in their combination, together with the ample and learned references to authorities in the notes. All this would be admirable from a person of any age, but in the work of a more than Septuagenarian it is really astonishing. It is not a musty collection of the gleanings of a life of hard reading, but bears within itself ample evidence of the freshness and even rapidity of its composition. A vast majority of the references are to works and memoirs of the last ten years, and even less. It was only in February, 1843, that our author dismissed from his hands his

his three volumes on Central Asia, and this work appears to have been chiefly written since.

Possibly the struggle for novelty has been carried a little too far. A picture of the (so-called) natural sciences as they are, cannot be constructed solely from the annals of contemporary discovery. The book of nature is a roll extended from year to year, but of which the earlier part, though blotted and altered, is not expunged or useless. The facts of science form a diverging series, of which each term is larger than its predecessor, yet not so immeasurably so as to allow all that precede to be neglected in comparison of it. Baron Humboldt, indeed, promises a history of science in a future volume; but he seems to us to have anticipated a great deal of it in the present one. The notes contain much curious, perhaps rather too elaborate learning, on the acquirements of the ancients, and also (what is more germane to the matter) on the discoveries of the 16th and 17th centuries. But the 18th century seems to have been forgotten, and the uninformed reader would, we fear, form an undue estimate of the relative importance of contemporary discoveries, distinguished as they undoubtedly are.

But we have yet another remark, which justice requires us to make, without meaning at all to detract from the cordial expression of approbation which we have pronounced. Though our author disclaims the intention (Preface, p. xiv.) of deciding claims of priority in scientific discoveries, it would be quite impossible to avoid them in a work like the present. Now on questions of individual or of national claims, Baron Humboldt will be tried by a severer standard of impartiality than most writers. His European reputation, his European correspondence, his extensive knowledge of languages, his liberal principles, his generous temper, even the fact of his having been almost equally domiciled in two countries, speaking and writing in French and German with equal facility;—on all these accounts, more perhaps than is reasonable will be and is expected of the author of *Kosmos*, a work, the greatness of whose scheme seems to address indifferently all civilized nations, and students in all departments.

Neither France nor Germany has any right to complain of the share which Humboldt has assigned to them in the great struggle for physical discovery. But we cannot rise from the careful perusal of this elaborate work without feeling that our own country has come off second, or rather *third*, best. The physics have (it seems to us) been written for the longitude of Paris, and the geology for that of Berlin; and no one, we think, who is conversant with the scientific circles of those capitals, can fail to see that the selection of topics and

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of authors is tinged with the unconscious prejudices of local opinion.

In saying so much (and we could not feel ourselves justified in saying less), we are far from imputing to Baron Humboldt any motive less amiable than a desire to gratify distinguished contemporaries whom a less noble-minded person might have regarded rather with jealousy than with deference. To his ancient ally, Von Buch, especially this deference seems to surpass what could reasonably be expected or wished. The whole of the geological, and some other relative parts of the work, are not merely filled with citations in flattering terms from the writings of the 'greatest geologist of our time,' but whether in matters of fact or in great theories, in trivial or important coincidences of opinion, nay, even in what is pointedly omitted or gently allowed to subside into neglect, the geological reader traces so exact a transcript of the well-known and *stereotyped* opinions of Von Buch, that he feels as if our author had forgotten his individuality of opinion in the anxious desire to applaud and flatter his friend.* Agreeing as we do entirely in a great many of these views, and entertaining indeed an exalted opinion of the sagacity acquired by the great Prussian geologist during a life spent with nature, and now on the verge of fourscore, we are far from wishing Humboldt's doctrines to have been different; we only wish that we had had a more impartial picture of his own convictions, and that a little more notice had been taken of contemporary, even if less distinguished labourers. If we recollect what has been done in England for modern geology—what is imperishably inscribed in the history of the science by its nomenclature—the members, deceased and alive, of the Geological Society of London might have reasonably expected to fill a more prominent place in the scientific history of the last forty years. Why is it that uncouth names local names attached to certain rocky beds by an obscure mineral surveyor in England, and by his more cultivated successors, have become household words in every language of Europe?—Clunch clay and Kimmeridge clay, Portland stone and Coral Rag, and more lately Silurian and Devonian rocks—are terms known from the banks of the Wolga to those of the St. Lawrence, from Newfoundland to Patagonia, from Norway to New Holland; and even our fastidious neighbours in Europe have been constrained to Gallicise these barbarous terms. It is all well to signalise

* We have been disagreeably struck with the complimentary epithets which Baron Humboldt lavishes so indiscriminately upon the authors whom he cites, especially upon his countrymen. These possibly regard them in no other light than they would the conventional 'hochwohlgeboren' of German correspondents. But the thing conveys to an Englishman a different impression.

Hooke (as we have seen, page 185 of this article) as having been the first to perceive the possibility of the chronological identification of strata by fossils, but it cannot justify the defect of impartiality in the recent history. We have even remarked that throughout this volume our author is curious in his researches into the *early* history of English science—witness his allusion to Hooke (*Kosmos*, p. 466)—to Gilbert's proposal to determine latitude by magnetic dip (p. 429)—to Bacon on the form of continents (p. 307)—Childrey's first description of the zodiacal light (p. 409)—and Halley on the Cosmical origin of aërolites (p. 125); but this does not at all console us—but the reverse—for the sparing allusions to the *great steps* made in Great Britain in the modern branches of science. It is not enough that English books are cited as mere authorities for a fact, as Dr. Buckland's 'Bridgewater Treatise' is not unfrequently. We miss the recognition of the place which our geologists are entitled to hold in the history of science, which was never so conspicuous as within the recollection of those now alive.

We have alluded to geology in particular, because the defect is striking, and because the subject is generally understood in this country. Perhaps in some other branches of science the deficiency is even more striking; but we do not choose to dwell upon a topic at once disagreeable and invidious; and we are very willing to conclude with an admission highly creditable to Baron Humboldt. We perceive no trace of personal ill-will or jealousy in any part of the book or its citations. In the part where our author has allowed most scope to his unbiassed and best informed judgment, there it is most impartial and most comprehensive. Distinguished as a traveller, he might have had some temptation to withhold or attenuate the praises which our British scientific navigators and explorers have so peculiarly merited. But it is exactly the reverse: the praises of Burnes, of Darwin, of Franklin, Becchey, and Ross, are amongst the most cordial in the book. Where our author could draw most on his own stores of knowledge, and was least subjected to the influence of less high-minded friends, there his native generosity is best shown.

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ART. VII.—*History of the House of Commons from the Convention Parliament of 1688-9 to the passing of the Reform Bill in 1832.* By W. Charles Townsend, Esq., A.M., Recorder of Macclesfield. 2 vols. 8vo. London, 1843.

WE have here a collection of biographical notices of all the Speakers who have presided during the hundred and forty-four years above defined, and of several Members of Parliament the most distinguished in that period. The selection of the latter has not been made on any very intelligible system; but much useful and curious information is scattered throughout the volumes. The life of Robert Harley, Earl of Oxford, is the most laboured, and will be read with interest. It removes some of the imputations which have long rested upon a statesman who was much overpraised during his official life, and has since been unjustly disparaged: yet it leaves his character a mass of strange contradictions. An old Whig of Republican origin, at the head of the Tory ministry; a Presbyterian, deriving strength from his supposed devotion to the Church; a lover of letters and the liberal arts—the good-humoured associate of literary men in their leisure hours—so reserved and mysterious with all men in affairs of importance, as to repel attachment and confidence; the minister who felt that he owed everything to the partiality of a wayward sovereign, yet appears to have forgotten all the respect to which she was entitled; condemned by his position to manage the feelings of a ‘royal prude,’ and performing that most difficult task with success, though he occasionally entered her presence affected with liquor.

Mr. Townsend’s judgment on public characters appears to be in general candid and dispassionate: we may wish that a greater number of parliamentary leaders had been introduced: nor can we think his apology for stopping so very short of our own times entirely satisfactory. The great majority of those whom he delineates are members of his own profession; and in Westminster Hall an opinion will probably prevail that he does not exemplify the old proverbial remark which he says has been frequently made in the House of Commons. ‘Touch a lawyer,’ said Edmund Waller, ‘and all the lawyers will squeak;’ but if the same description cannot be given of this catalogue as that applied to Gilbert Burnet’s ‘History of His Own Times’—

‘Political Anatomy—
A case of skeletons well done,
And malefactors every one;’

yet his legal portraits are frequently by no means flattering.
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Some who richly deserve the name are unsparingly shown up : but others, on whose merits a reasonable *esprit de corps* might have dilated with pride and satisfaction, are not placed in relief with the lustre which fairly belongs to them.

For instance, we may be puzzled to discover why the respectable Recorder of Macclesfield should designate the Lord Chief Justice Holt as one of the ‘*Dii minorum gentium*.’ He, indeed, admits his name to be the greatest among these inferior deities, and that beyond comparison ; a distinction likely enough to be disputed by the admirers of Lord Mansfield, if conferred on Holt merely as a judge—and which becomes still more questionable when the great success of that learned Lord as a parliamentary leader in both Houses is remembered ;—but we find no reason (except from the accident of his not having held the highest office in the law, nor filled the chair of the House of Commons) for placing Holt in a lower class than Maynard, Lechmere, Baron Price, or even Sir Joseph Jekyll, who occupies the lowest rank among his ‘*Dii majores*.’ Mr. Townsend very properly rejects, and completely refutes a vulgar story of Holt having used coarse and offensive language to the Speaker of the House of Commons ; yet he whimsically rakes up another equally coarse anecdote of the same description not worth preserving, if true, and much more likely to be a stupid invention. But the fame of a judge must rest on his judicial conduct. With that of Holt we are peculiarly well acquainted ; for his decisions, which have been handed down to posterity by a more numerous body of reporters than those of any other judge, have ever held the highest authority in our courts. Mr. Townsend justly calls his judgment in the case of *Ashby v. White* a ‘*noble judgment*,’ and gives a very short extract from it. On this important question the Chief Justice had the misfortune to differ from his three colleagues in court—a misfortune which he felt severely, as, by those who are imbued with the true judicial spirit, it always must be felt, though sometimes unavoidable. He was also constrained to differ from the recorded vote of the House of Commons, who considered his views as inconsistent with their privileges, and had often and recently visited such expressions of dissent with their vengeance. In the opinion, however, which he conscientiously believed to be true Holt persisted, and ultimately had the satisfaction of seeing it adopted by a majority of the whole body of the judges, and by the House of Lords. We have thus all the assurance that authority can give that he was not blinded by any personal motive,—the puerile love of popularity, or a vulgar itch for braving a dignified assembly : that he did not per-

vert the law, but on the contrary saved it from perversion in its hour of peril, and by his resistance, long his sole resistance, defeated the attempt to set up an arbitrary power in England.

It may be thought that his character could afford to lose whatever a few trivial stories might detract from it. Perhaps so. But truth is not without its value. Human reputation 'in broad rumour lies,' and hundreds form their judgment from tales that pass current for one that weighs the real merits of the man. The story of Holt's insulting the Speaker had become, by dint of often telling, generally believed. Mr. Townsend styles it *apocryphal*, and demonstrates its falsehood. Wherefore, then, repeat it again? The other story rests on no better authority. But here also Holt may best defend himself; for the able and learned judgment referred to, and another growing from the same transaction, mark the gentleman and the scholar as well as the lawyer; a vein of simple and touching eloquence runs through them wholly inconsistent with the coarse dulness imputed.

Another Chief Justice—the late Lord Ellenborough—has likewise encountered the censure of this historian. The learned lord applied the following remarks to that vote of the Convention Parliament which consigned Sir Francis Pemberton and Sir Thomas Jones to Newgate:—

'It is surprising, upon looking at the record in that case (an action against the Serjeant-at-arms for false imprisonment), how a judge should have been questioned and committed to prison by the House of Commons for having given a judgment which no judge who ever sat in this place could differ from. . . . It was after the Revolution, which makes such a commitment for such a crime a little alarming. It must be recollected, that Lord Chief Justice Pemberton stood under the disadvantage, at that period, of having been one of the judges who sat on the trial of Lord Russell, and therefore did not stand high in popularity after the Revolution, when the judgment and attainder in that case had been recently reversed by Parliament. I would not, however, have it for a moment supposed that I cast the least reflection upon Lord Chief Justice Pemberton for his conduct in Court upon that trial. He was a man of eminent learning; and being no favourite of either party at that time (for he was shortly after that trial removed from his situation), was probably an honest man. Nor can I find any fault for his direction in matter of law upon that trial.*

And the Attorney-General having described Pemberton, with reference to his examination before the House of Commons, as one of the boldest judges who ever spoke, Lord Ellenborough observed, that

* The same opinion is expressed by Mr. Phillipps in his valuable work respecting the State Trials, and was probably entertained by the government which removed Pemberton from his office immediately after.

'Holt was still a bolder judge; for when he was summoned before a committee of the House of Commons, appointed to hear and report his reasons for his judgment in the Banbury case, he said that "if the record were removed before the Lords by Error, so that it came judicially before them, he would give his reasons very willingly, but he would not be questioned for the reasons of his judgment in that manner." This happened within a few years after the proceeding against Lord Chief Justice Pemberton, which no doubt Lord Holt had then in his contemplation.'—*Burdett v. Abbott*.

On which Mr. Townsend is pleased to observe, speaking of the Convention Parliament, that 'their treatment of the judges who presided over the legal iniquities of the two preceding reigns has been severely censured, with more severity, perhaps, than the very peculiar occasion called for.'—vol. ii. p. 155.

Now we conceive that no occasion can furnish an excuse for manifest injustice, and that the only question here is, whether Lord Ellenborough's view of their treatment of the judges be correct. Mr. Townsend adopts the same view, informing us that 'Sir Francis Pemberton's defence of his own judgment must undeniably be deemed a sound exposition of the law.' Why, then, is he classed with 'the judges who presided over legal iniquities?' And is there any severity of censure in alleging, that the vote which condemned him to Newgate for rendering a just judgment was calculated to excite both surprise and a little alarm in the mind of one of his successors?

The fact is, that the Convention Parliament is a decided favourite with this author! it may be styled his hero, as the Long Parliament has been styled the hero of Mrs. Catherine Macaulay's History. In his table of contents he observes that the Convention Parliament 'used their spiriting gently,' which phrase he thinks so appropriate that he repeats it in his text. He justifies the encomium by a negative kind of praise, which, dexterously employed, might shed a mild lustre over the names of Domitian or Nero,—by enumerating various outrages and excesses which they did *not* commit. They excepted but twenty-six persons from their Act of Indemnity; they directed few prosecutions; they did not 'dabble in blood;' they even negatived a motion to hang 'two of the judges, according to the notable example of the head justice who was executed at Tyburn in Richard II.'s time, for a general example, at Westminster Hall gate.' He thinks that judges and crown lawyers might have been more hardly dealt with than they actually were, and for serious transgressions. 'The chief miscreant,' says Mr. Townsend, rising here into eloquence, 'Jeffries himself, ensanguined as in a scarlet robe, lay at their mercy in the Tower; within

within their own walls sat Sawyer, and Williams, and Finch, the persecutors to death of Armstrong and Sidney—the blatant revilers of the bishops.'—(*Ib.* 157.)

No right-minded man can wish to depreciate the great merits and services of the Convention Parliament, which was not, however, a club belonging exclusively to one party, gaining the upper hand by violence, and laying all adversaries low, but a union of all the parties in the state, which, while driven to resistance by the enormities of the late reign, were still earnestly bent on the noble task of erecting a new government by law, by a judicious balancing of the feelings, opinions, and interests of all.

The apology for the illegal severity into which the Commons were betrayed against two high functionaries who did their duty, attempted to be drawn from their forbearance and lenity towards others who had grossly violated theirs, cannot be admitted for a moment. Sir Francis Pemberton could derive no consolation in his cell in Newgate from knowing that Herbert, Wythens, and Williams, escaped the punishment due to their misconduct: such unjust partiality would rather aggravate his sense of the wrong he endured. With submission to Mr. Townsend, we think that Lord Ellenborough might naturally object to the precedent. Nothing is less acceptable to minds accustomed to any rational theory of crimes and punishments, than that species of mob-justice which, failing to secure Cinna the conspirator, is content to hang Cinna the poet; or the politic determination of the puritanical colony to hang an 'old weaver who was bedrid,' as an atonement for the preaching cobbler's offence, whom they could not spare from among them. It is to be lamented that the lawyers who sat in that parliament either wanted the courage to resist this illegal vote, or the influence that should have dissuaded the majority from adopting it. *They*, at least, well knew that the punishment was an outrage upon justice, and the conduct praiseworthy which was treated as criminal. It is always a thing to be lamented when the historian stoops to palliate acts of wilful oppression. Fox justly reproaches Hume for withdrawing one strong check from the minds of princes by extenuating their faults; and experience proves that popular assemblies stand at least as much in need of all the restraints which a dread of censure and shame can impose.

Few persons will have taken up these volumes without the expectation of finding some allusion at least to those questions on the nature and extent of parliamentary privilege which have lately occupied attention. The period of the title-page does not indeed embrace them, as they began to be agitated since the passing of the

the Reform Act: but the history, in many of its branches, begins before 1688, and some particulars are brought down lower than 1832. In running over the table of contents at the head of the first volume, our eye rested on the phrase, 'This last feather in the plume of Privilege is at length torn away.' In the text the same last feather is said to have been 'remorselessly' torn away—a startling announcement at this day, when Privilege has been asserting its claims in the loudest and most commanding tones: but, on a more attentive perusal, the meaning of the word will appear to be here confined to the transmission of letters free of postage—an exemption not, as we think, remorselessly torn away, but gracefully surrendered to the popular anxiety for the full trial of a great financial experiment.

The more general subject is however touched in various passages of the work, and it yields to none in importance. Recent events induce us to enlarge once more on this great and interesting subject, *Privilege of Parliament*.

We hold its very name in reverence. We regard it as representing the influence legitimately exercised by public opinion over national affairs. It is the instrument by which the great body of the people interposes in the government, strengthening power when beneficially exercised by the most effective sanction, deterring from oppression by remonstrance beforehand, or chastisement inflicted after the fact, and seeking an appropriate remedy for every evil that may have crept into the State, or may menace the general welfare. From the hour when the first parliament sat, under whatever title, the consciousness of its own value, as securing these great purposes without violence, must have been present to the minds of some of its members. The first efforts would be coarse, rude, and inconsistent; rendered feeble and defective by the vast disparity between individuals who took a leading part and the mighty powers which they dared to control or question: but the principle was alive and active.

Without *freedom of debate*, Parliament could perform no part of its duty. Lord Coke, in his quaint language, calls this fundamental privilege 'the quintessence of the four essences:' whether it was or was not first formally claimed in the Speaker's address to the Throne on the accession of Henry the Fourth, it was an inseparable attribute of the House of Commons. The rebukes and penalties that followed its exercise prove its existence. Though Sir Peter de la Marr suffered close imprisonment for his reflections upon Alice Pierce, the royal favourite, and the unfortunate clerk, Sir Thomas Haxy, was even condemned to die the death of a traitor for introducing a bill to restrain the extravagance of
Richard

Richard the Second's household, these things show that the expenses and even the personal conduct of the king were in the fourteenth century made the subject of attack in the House of Commons. The noble name of Wentworth can boast that those who bore it in the reigns both of Tudors and Stuarts had the honour of suffering persecution for the freedom with which they canvassed affairs of state within the walls of Parliament; the illustrious Selden and his compeers were sent to the Tower, after the session, for their proceedings in the House; the courts of law, corruptly obsequious, recognised the power of committal for such offences, at the king's pleasure; and Sir John Elliott, the ancestor of the Earl of St. Germain's, fell a martyr in prison to this unjust sentence. But the offences were committed, were repeated, were avowed as meritorious, or rather vindicated as necessary for the discharge of duty. The privilege stands recorded in the Petition of Right; it is secured and enforced by the Bill of Rights: not created by those venerable statutes, but declared as that without which our free constitution existed but in name. This *privilege was the law of the land*: the judges who denied it betrayed and disgraced the law which they ought to have administered. The outrage thus committed in its name against the freedom of parliament in the times of James the First and his unfortunate son did more to estrange their loyal subjects than any other of their errors; and the mean acquiescence of the judges had the effect so feelingly described by Clarendon of uprooting the last hold possessed by the government on the confidence of the country.

Personal freedom from arrest must also have been of early introduction. The necessity for it might not have been foreseen; but any power of imprisoning the members may be so effectually employed to defeat the exercise of all parliamentary functions, and is so obviously capable of being abused to that end, that it must have been prevented from the first moment that the Commons felt their independence. We need not go higher than the reign of Henry the Sixth for the historical proof. The case of Thorp, Speaker of the House of Commons, and afterwards a Baron of the Exchequer, is extremely singular in all respects. Our present concern with it is only this: that when he was committed to the Fleet in execution of a judgment, the whole House petitioned the king for his release, claiming freedom from arrest as a privilege by common custom, 'time out of memory of man.' The privilege was extended to the servants of members; and persons of substance who feared to be arrested for their debts paid money to the members for this exemption, and were fraudulently enrolled

enrolled as their menials. The apparent retinue was likely to be large in proportion to its real insignificance: for the needy member was in the habit of selling his protection for a few shillings—an abuse long since swept away, as the servants' privilege has been abolished by act of parliament. That of the members is still kept alive, and is not likely to be extinguished.

The privilege of *committing for contempt* must belong to every legislative and to every judicial body. It rests on the necessity of removing obstructions—either such as create a physical difficulty of proceeding, or a moral impossibility of commanding the necessary respect—of putting down the coercion of members by popular violence, or resenting the disparagement of either house by insulting libels. The exercise of this latter privilege, powerfully vindicated by Lord Ellenborough in the judgment above cited, has nevertheless been long regarded with natural jealousy: and considering with what absolute freedom the measures of government and the acts of individuals are now daily discussed, the greatest caution and forbearance must appear to be necessary in acting on this species of contempt. The offence is in its nature doubtful, the punishment discretionary; and the judge, provoked to pass a sentence for an offence towards himself, cannot be expected to decide with an unbiassed mind. Besides, the ordinary tribunals are fully competent either to punish the libeller, where really criminal, or to give compensation to persons really injured by libel. Yet, with all these disadvantages, there may be a necessity for either house to act promptly in the repression of outrages upon decency; and the privilege admits of no dispute.

All penal visitation by either house of parliament for misdemeanors of a more general nature, as when the Long Parliament took upon itself to punish for blasphemy or heresy, we humbly conceive to be absolute departures from the line of duty prescribed to Parliament by the Constitution; nor is there the least fear (notwithstanding a long line of precedents) that we shall witness the infliction of punishment for such offences in modern times.

It is in the nature of Privilege to take a much wider range. As the great inquest of the nation, intrusted with *the right of impeachment*, the Commons must possess all necessary means for collecting information and evidence. Being bound to *exercise their judgment on all legislative measures*, they may find it necessary to institute a free inquiry into facts of every description; and as unforeseen obstacles may be wilfully thrown in their way, which they must have the power to remove, there may be no possibility of precisely defining beforehand the precise means by which the exercise of their power may be defeated. In this sense, therefore,

therefore, the House may be truly said to be the sole judges of breaches of privilege. For example: an assault is an offence at law, and may be punished in the courts, and is, generally speaking, no breach of privilege: but an assault accompanied with imprisonment, to prevent the attendance of a witness before a Committee, or an assault upon a witness by a party affected by his evidence, may obviously fall within that description, and the offender be properly chastised for breach of privilege.

The distinction between the right to punish for an invasion of known privilege, and the right to define privilege, seems too clear to stand in need of any proof. Yet it should seem that these two intelligible propositions have been confounded. Among the privileges of parliament, the privilege of declaring absolutely and exclusively what those privileges are, has been of late prominently and authoritatively claimed. Let us reflect on the nature of this claim, and consider what reception it could have expected at the hands of a Plantagenet or a Tudor, if Mr. Speaker, when presented for the approval of the sovereign, had asserted it as the inherent right of his faithful Commons. What would have been the surprise excited! Most likely some explanation would have been called for; and, if given in the unlimited sense to which it has been expanded in later times, as involving the right of disposing at their pleasure of the rights of individuals, without check or control from the king's courts, or any authority known to the laws—those courts and those laws to which the king never denied that he himself must yield obedience—a most animated scene of some kind could hardly have failed to be presented. The bold extravagance of the demand, its monstrous incongruity with the principles and the forms interwoven with the very idea of a parliament, and with the means of enforcing it, might have sunk all feelings of indignation in surprise and ridicule. The monarch might have stormed; or he might more prudently have undertaken the defence of popular rights, and reminded the delegates of the people that they were sent to deliberate on the granting of supplies and the redress of grievances, on the enactment of new laws, or the repeal of old ones, in concert with the king and the lords—but that neither king, nor lords, nor commons, had a right, in the name of privilege, or in any other name, to exercise a power superior to law! The third monarch of the Stuart race was supposed to have met such a claim with no unseasonable pleasantry. When the Commons went up with an address so worded that it could be fairly translated into the doggerel—

‘With all humility we crave,
That you, our king, should be our slave.’

—his

—his Majesty's most gracious answer was well couched in the familiar couplet, supposed to be pronounced by his commissioners :—

‘ Our lord, the king, having no need,
Thanks you as much as if he did.’

But a dialogue of this kind between the King and the Speaker cannot be even imagined as occurring since the period of the Revolution. The framers of the Bill of Rights cannot be conceived to have said—‘ We have overthrown a government which exercised a power of dispensing with the laws, and we mean to substitute a House of Commons which shall be free to do anything under the name of privilege : we insist upon being governed by the laws, but we reserve the right of superseding them, and lodge it in the privileged hands of ourselves and our successors.’ Henry the Eighth's parliament, which gave his proclamation the force of law, though guilty of a treacherous abandonment of its high trust, did not enunciate a palpable absurdity ; but the language of our hypothesis is neither more nor less than a contradiction in terms. Whether kings or parliaments bear sway, the dominion of ‘ *jus incognitum et vagum* ’ is ‘ *misera servitus* ’—a yoke which no English elector ever thought he enabled the representative for whom he voted to bind upon the neck of himself and his posterity.

Yet truth compels the acknowledgment that the ultra doctrines of privilege have sometimes been taught by such authorities, that it would have been wonderful if they had not been received as true by those to whom they ascribed such mighty powers. Neither of the Jameses and neither of the Charleses was soothed by flatterers into a belief of their own divine right by words more submissive and servile than those often employed by the venerable guardians of the law respecting the uncontrollable nature and unfathomable height and depth of privilege. Such was Lord Coke, atoning in his old age, when he had put off the ermine and become a parliamentary leader, for too much deference paid by him when on the bench to the prerogative royal. His 4th Institute, left incomplete, and not published till after his death, echoed the mysterious responses of former judges when they declined, undoubtedly from prudential motives, to deal with a subject so far transcending judicial faculties ; and they have been in later times repeated, even after Holt's masterly reasoning had demonstrated their inconsistency with the law and constitution of England. But that reasoning has been admitted, and its principles have been fully borne out by later judges who have been required to examine them judicially, among whom we would principally

name

name Lords Kenyon and Ellenborough,* whose adoption of them was distinctly proclaimed, even when they were acknowledging the legal validity of privilege up to a certain point.

Unless this unlimited power exists—if the privileges of parliament are subject to any degree of limitation—the nature and extent of that limitation must unavoidably be brought into question before the courts of justice, when the rights of litigant parties depend upon it. He who shelters himself for an act which would be illegal if not sanctioned by privilege, can make out his defence by no other means than by showing that it is so sanctioned. In cases of arrest in former times, this proof was given by the writ of privilege; the validity or invalidity of which must then be discussed and decided on such party's application. • It is the privileged defendant, not the unprivileged plaintiff, who exposes the claim to hazard. We are well aware of the inconvenience and the scandal arising from the avowal of opposite opinions by one of the estates of the realm, which must concur in making laws, and by any court of justice which is charged to administer them when made: but the same would have arisen—the same at least in its nature, though perhaps different in degree—if the judges had done their duty, and liberated the members imprisoned by a royal mandate, or had declared Charles the First's attempt to impose a tax unlawful. And the scandal and inconvenience are to be avoided, not by a sacrifice of conscientious conviction on either side, but by an earnest inquiry after the true principle, and as firm a resolution to abide by it when ascertained.

On a recent occasion, the printer employed by the House of Commons justified his publication of a libel to the injury of an individual, by the supposed privilege of that House to publish for sale such defamatory papers. Informed of this action, the House came to a resolution that it actually enjoyed the power so drawn into dispute. This resolution was unanimously pronounced inoperative by all the judges of the Court of Queen's Bench, who thought with Lord Holt, that if such a privilege existed, it would protect the printer, though not declared by the House; and if it did not exist, that their declaration could not create it. To contend for a power which they did not possess, would have been an assertion by the Commons of 'the right divine to govern wrong;' and for the Court to take the law from any extraneous authority, against their own conviction, would have been a betrayal of the plainest duty.

The fate of the action, therefore, between the contending

* The former in *R. v. Wright*, 8 Term Rep.; the latter in *Burdett v. Abbott*, 14 East's Reports.

parties depended entirely upon the validity of this claim of privilege. The argument in support of it was maintained with great learning and distinguished ability. The Court, however, thought that the proposition was not established; that the sale of innocuous papers to any extent proved nothing on the point—and that the acquiescence of parties accused in parliamentary Reports, if properly considered, proved very little. They were of opinion that the votes of the Long Parliament, preceding, or rather indeed announcing, the outbreak of a civil war between the king and the parliament, were no safe guides to a determination of the legal rights possessed by those great contending authorities: they found, in one of their law-books of the greatest weight, the distinction expressly taken between publication to the world at large and printing for the use of the members: they found that attempts had actually been made in the House of Commons to permit the publication of its votes and proceedings, and were negatived. Their judgment, though disapproved by the House, was no otherwise questioned than by committing the attorney who sued it out, and the unfortunate sheriffs, who were bound by their official duty to carry it into execution. No writ of error was brought; ‘transiit in rem judicatam.’ Two propositions were thus established; first, that the House of Commons has not the uncontrollable power of declaring its own privileges; secondly, that it does not possess the privilege which it asserted upon that occasion.

Another action was brought by the plaintiff's attorney against the serjeant-at-arms for trespass, in breaking and entering his house and disquieting his family. The serjeant pleaded the warrant of the House of Commons; but the plaintiff replied, that the trespass had exceeded the command contained in the warrant. The jury found this fact for the plaintiff, and accordingly awarded damages, which were paid. In all this matter the House abstained from any interference. Yet, if judicial dicta could make a law at variance with the first principles of a free constitution, a judge no less eminent than Sir William Blackstone had expressly laid it down from the bench that the courts could neither inquire into the validity of the Speaker's warrant, nor into the correctness of its execution by an inferior officer.

The same plaintiff proceeded against the same defendant for a similar trespass in execution of another warrant issued by the Speaker. By a singular infelicity, this warrant itself was so drawn up as to make its legality doubtful, and three of the judges felt themselves constrained to pronounce it illegal. The House of Commons, entertaining the contrary opinion, has directed a discussion of this very subordinate point in a court of error. This

is the unexceptionable mode of questioning a judgment from which any party interested may dissent ; and on the pending suit we abstain from remarking. However it may be determined, the important propositions above alluded to are left unquestioned.

Let it not be forgotten, that while these proceedings were going forward, the sheriffs, who had been committed to close custody for executing the writ placed in their hands, applied to the Court of Queen's Bench for liberation from an imprisonment which they deemed illegal ; and this application was refused by the Court. The ground of the refusal was, not that the Court thought the imprisonment warranted by the facts which had notoriously caused it—for they were known to hold the contrary opinion ; but that they thought they had no power to inquire into those particulars, inasmuch as the serjeant-at-arms had returned, by way of answer to the writ of Habeas Corpus, that the House of Commons *had committed in general terms for a contempt not specified in the warrant.* The recognition of this fearful power may surely relieve the judges from the suspicion of ill designs towards the authority of the House of Commons ; and it were strange indeed if such a power of general commitment were not sufficient for executing all the legitimate purposes to which any of their duties may bind them.

Recent transactions have given a new stimulus to the anxiety felt upon this subject. A committee of the House of Commons, engaged in the investigation of the Poor Law, had received statements injurious to the character of a surgeon. They were printed by order of the House, and circulated at the cheap regulation price. The surgeon does not appear to have had any opportunity of defending himself before the Committee, or to have known of the imputations cast upon him before this publication of them. Whether they were true or not, those who had only heard them *ex parte* could not possibly know : the person who suffered from them declared them utterly false, and took the proper means for his own vindication by bringing an action for slander. The defendant, if a trial had ensued, might have justified the truth of his charges to the satisfaction of the jury ; he might even have defeated the action by showing that, when summoned as a witness, he had stated to the Committee what he really believed to be true. But, instead of trusting to the merits of his case or the honesty of his motive, he preferred a petition to the House of Commons, complaining that the action had been brought ; and the House, calling before them the plaintiff and his attorney, directed Mr. Speaker to inform them that they had committed a breach of the privileges of the House, and were guilty of a contempt. They both protested their entire ignorance, till they were
thus

thus enlightened, that their conduct exposed them to such a censure, declared their contrition in the humblest apologies, and undertook to drop the action.

Shortly after, another petitioner respectfully apprised the House of Commons that his name had been employed without his authority in some proceeding before them inculcating third persons, and exposing him to consequences which in his opinion gave him a right of action against the person falsely representing him. He therefore requested the House to sanction his proceeding to bring such action. The permission was refused—with a distinct intimation that if he should venture to do so he would incur the penalties of a contempt.

On the 10th of July, 1845, the defendant in an action for defamation informed the House of Lords by petition, that the words for which he was sued were a part of his evidence given before the Committee appointed by that House to inquire into the law of gaming. After a delay of two or three days, in the course of which a committee sat to search for precedents, the House of Lords adopted the same course which the Commons had pursued;—reprimanded the plaintiff and his attorney for their contempt and breach of privilege—and compelled them, by similar threats of their lordships' high displeasure, to undertake that the action should be immediately discontinued.

Without being extremely nervous in the apprehension of danger to the constitution, we cannot help feeling surprise—we might even add, in the language of Lord Ellenborough, some little alarm, when we consider these votes of both houses of parliament. In the first place, we are wholly at a loss to conceive where the contempt lies; what offence or slight is offered by the supposition that a false statement may possibly have been laid before a committee by a malicious or interested witness. No committee nor any court pretends to guarantee the veracity of those who bring information before it; but if the information be false we should have presumed that they would be the first to promote its detection and exposure. Witnesses are protected *eundo, mórando, redeundo*; not *calumniando, mentiundo, pejerando*. If, besides being deceived themselves, the House of Commons have had the misfortune innocently to deceive others by publishing false charges, a strong additional motive appears for their aiding in the correction of so lamentable an evil. If the information be true, its truth alone will relieve the defendant from the groundless action.

But why, it was asked, must the witness be harassed at all by an action? The implied argument proves a great deal too much: it assumes the right to prevent all unfounded actions, and the power

power to determine, in the first instance, and on *ex parte* allegations, that a specific action is unfounded. The legal tribunals are the authorities appointed by the constitution to execute this high trust. They are not, indeed, infallible; but they are the best that society has been able to frame for its own protection, and with them on the whole it is well satisfied. No reason can be devised for believing that an injury committed in the course of a parliamentary inquiry invests either house of parliament with any keener perception of truth, or any better means of discovering it: while both are avowedly incompetent to award compensation for injury. The same answer will dispose of another argument which appears to have been urged as a reason for passing these votes:— ‘As we compel the witness to give his evidence, we cannot permit any one to sue him for giving it’—and it has become a habit to talk of ‘*our* witness.’ The compulsion to attend and give evidence, whether by virtue of the Speaker’s warrant or of the ordinary writ of subpoena, requires nothing of the witness but to state what he truly knows—not to give the particular evidence, least of all, *false* evidence from malicious motives. *This* is what the plaintiff ascribes to the defendant, and by bringing the action obliges himself to prove at the trial.

In the mean time it is evidently possible that a grievous wrong has been inflicted, heavy loss incurred—that the slanderer may be actually deriving pecuniary benefit from the ruin brought upon the slandered. To whatever extent all these facts may exist, the sufferer, whose action is suppressed, is deprived of all redress, and treated as criminal for seeking it by legal means. It is not the anomaly sometimes exhibited, a right without a remedy; but, where the law recognises the right and supplies the remedy, Privilege threatens to crush with his iron mace the injured suppliant for justice.

These arguments appear to us as complete and unanswerable as they are clear and simple. And here we are not aware that any distinction has been drawn between either House of Parliament and an ordinary tribunal. Bearing false witness before any Court is an obvious contempt of that Court, as well as an offence of a deeper dye. But that contempt must be committed with perfect impunity, if the practice lately adopted should be established—for Courts have no instinctive power of discovering when evidence is false; that can only be expected as a fruit of the scrutiny to which it is subjected by some person sustaining injury from the falsehood. The endeavour to expose it may be no offence whatever, but a meritorious public service, according to the result of an official inquiry. But even if it fail, there is no shadow of contempt of the Court; for no kind of disrespect is implied by it, nor any
obstruction

obstruction offered by it to the proceeding in which the falsehood is supposed to have been uttered. Others may possibly be deterred by the fear of an action from giving false evidence;—but this is no evil: the salutary fear which is found by experience to be the best security for truth is one of the greatest benefits conferred and intended by a system of laws.

On a calm consideration of this matter, we conceive that if any member of Parliament were now to propose a legislative measure, enacting that no person should be sued for information given to a committee, though such information were false and malicious, no power or influence could be successful in carrying such a measure through. If, on the other hand, it be a clear and acknowledged privilege, so uniformly exercised as to be placed beyond question, a privilege it must remain, like some others sanctioned by custom and practice, though in themselves not to be defended. But such exercise is not to be taken as establishing such practice, from a few occasional votes, if at variance with the first principles of justice, and in truth of no value for enabling the House to perform its functions. Sir S. Romilly disposes of such proofs in a summary but conclusive sentence:—

‘Instances, indeed, were produced where the House had exercised the power of imprisoning for libels on their past proceedings; but they were few, and mostly in very bad times. One case was that of Arthur Hall, in Queen Elizabeth’s reign (in 1580), who, on a complicated charge of publishing a libel on some members, and for disobedience to the summons of the House, was fined, imprisoned for a time certain, and till he should retract his book, and besides expelled; and of this case Hatsell observes, that it is the only instance he had found, previous to the Long Parliament, of proceeding on a complaint of publications derogatory to the honour of the House (1 Hatsell, 127). Other instances, indeed, were produced; but really instances of extraordinary powers exerted and submitted to cannot in such a case make law. If they could, the two Houses of Parliament would have a right to punish by pillory and other ignominious punishments, and by sentence to hard labour for life; for such punishments have been inflicted by the Houses.’

Such punishments have also been inflicted by the Courts at the dictation of the Crown: they have, however, not been adopted as precedents which the law can respect, but condemned as outrages never to be repeated.

Stopping actions by menace is not a new attempt. Like many other things done in the name of Privilege, the practice had been resorted to, with success in the particular instances, but appeared to have been tacitly relinquished. Thus the Commons denied the jurisdiction of the Lords to try appeals in equity suits: and during two sessions (both brought to an untimely end by the dispute) threatened parties, counsel, and attorneys with their high displeasure.

pleasure. At length they gave up the point. The delay in deciding these particular cases was probably the cause of no little expense and vexation to both parties. Whether Fagg or Shirley ultimately prevailed we know not. If the former succeeded in reversing the judgment previously obtained by his adversary, a successful attempt by a vote of the Commons to debar him from proceeding would have produced no less an injustice than that of handing over the property of one man to another who had no right to it.

In the case of *Ashby v. White*, before noticed, the House of Commons endeavoured to defeat a clear right of action by the interference of Privilege. An elector sued the returning officer for rejecting his vote. The Court of Queen's Bench, overruling Lord Chief Justice Holt, held that the action could not be maintained, because the question raised in it could be tried in the House of Commons only. This judgment was brought by Writ of Error into the House of Lords, who, under the advice of a majority of the twelve judges, reversed that judgment, held that the action will lay, and awarded execution to the plaintiff for his damages and costs. The House of Commons declared its privileges invaded, and made war in the usual style on parties, counsel, and solicitors. The execution was levied notwithstanding. If Privilege had triumphed, that triumph would have been achieved over one of the dearest rights of the subject.

The imprisoned parties sued out writs of habeas corpus, and applied to the Court for their discharge. The Court (dissentiente Holt, Chief Justice) pronounced their imprisonment legal under the Speaker's warrant, and remanded them to custody. On this judgment of remand they sued out their writ of error to the Lords. The Commons first tried to stop this proceeding by Law, and afterwards by Privilege. The legal point they made was a doubt whether such writ of error lay: the Judges unanimously declared that it lay. The Commons then addressed to the Queen a prayer that she would be graciously pleased to decline issuing the writ of error. The Judges, by a majority of ten to two, declared that her Majesty had no power to refuse it. The Lords therefore had possession of this process, in which the issue to be tried was, whether a vote of the Commons would make it criminal for one of the Queen's subjects to question, by due course of law, an erroneous judgment depriving him of his personal liberty.

Privilege still maintained the contest—not, as before, to the discomfiture of the *parties*, for these were already well secured in Newgate, and the Honourable House did not follow former precedents, when offenders were heavily fined, or pilloried, or led by the hangman through the streets of London riding on a horse

a horse backwards. These aggravations might have ensued if the prisoners had contumaciously persisted in their efforts for liberation. But the counsel and attornies who should dare to plead the cause of personal freedom were not only menaced with violence, but hunted down. The Crown let the curtain fall on the scandalous scene, and by a prorogation rescued *Privilege* from further defeat and disgrace. Lest this narrative should be thought overcharged, and doubts raised how far the law may be so clear as it is here stated to be, we must add, that the right to sue a returning officer for the improper rejection of a vote at an election is placed beyond the reach of cavil, not only by subsequent decisions, but by the House of Commons itself, which, in concurrence with the Crown and the Lords, fully admitted that right, by passing an act which provided a specific remedy for its violation.

The regret that may be excited by the late proceedings of both Houses admits of some consolation. The vote of the House of Lords for stifling the action to which we have adverted was attacked by Lord Brougham in a short speech, but one of the keenest and ablest ever delivered by him. The division was followed by his Protest, which sums up all the reasoning, and brings the matter to a crisis. If the views which we have laid before our readers are correct, they are here stated in the most clear and forcible manner: if wrong, we are most desirous of seeing them met and refuted by that calm and deliberate discussion afforded by a more convenient season.

We shall select two or three salient points. •

It seems clear that the object for which such great force is exerted—the stifling of the action brought—cannot be secured by it. John a' Noakes the party, and Thomas a' Stiles his attorney, may be deterred by threats from proceeding with the action; but you will make another Philip—a second John and a different Thomas will be found, possibly encouraged and stimulated by the pride of contending with so powerful an antagonist; as Paty and his brother electors brought their actions against the bailiffs of Aylesbury in the very same form which had been voted a breach of privilege when instituted by Ashby. Nay, the vote cannot operate directly even on the first action, which, after Parliament is dissolved, or while it is prorogued, may be carried on:—‘Because,’ says Lord Brougham in his Protest, ‘the order to prevent a defendant from pleading, or the commitment of the plaintiff for a constructive contempt, never can really stop the action, which may proceed through all its stages, whatever may be done to the parties: unless indeed the greater and unheard of violence were committed of arresting the judges and their officers,

and destroying the record, and tearing the proceedings from the file.'

'Perhaps even that might not do. On proof that the proceedings had been conducted to a certain point, the mere destruction of the paper and parchment could not bar the party's right to carry on the cause; and, after a certain length of incarceration, the judges and officers must resume their seats. Even if the judges should be expelled from their office by an address unanimously voted in both Houses, and replaced by others, *the action must proceed*—if either party require it. The new functionaries, appointed probably on the speculation that they would be more obsequious than their predecessors, could only show their compliance by adjudicating in conformity to the law as laid down in the resolutions of the House: but, far from stopping the action, this would most likely send it forward to a Court of Error, where the law would be laid down by other judges, and would again be liable to question in the House of Lords. How strange would be the position of that illustrious assembly if they should find themselves compelled, as a court of *dernier ressort*, to deny the Privilege, on the assumed validity of which they had in the first instance voted that the action should be discontinued and all inquiry into the merits stifled! What a story would the journals present to admiring posterity!—the first vote being that the plaintiff was one of the worst of men, and the defendant the very best—the former proved a villain by his malignity in suing the latter,—and the last vote the affirmance of a judgment which entitled the villain to large damages against the true man, and an award of execution for that amount and his costs.

The want of power to protect the witness from legal proceedings is forcibly displayed by Lord Brougham:—

'No man pretends to deny, or even affects to doubt, that your protected witness, who must on no account be vexed with an action of slander, may be harassed with an indictment for perjury, presented by any one who chooses to buy sixpenny-worth of parchment, and send a bill before the grand jury at the Westminster Session-House. A witness swears before a committee of this House to certain facts, and swears falsely; though your lordships do not prosecute him, he is still liable to be prosecuted for perjury by any two individuals who heard him give his evidence, though they should be the door-keepers or any other attendants on your lordships' House. The protected witness is indicted for perjury; what is the issue upon the indictment? The truth or falsehood of the thing sworn. And what is the issue here if a justification is pleaded to the *action* for slander? The truth or falsehood of the thing sworn; the very selfsame issue; the one being a civil case, an action for damages; the other a criminal case, a prosecution for perjury.'

Criminal

Criminal Proceedings are, however, as liable to be stayed or prevented as civil actions; to the same extent and by the same means. A prosecutor might be deterred by the fear of personal suffering as easily as a plaintiff. But the public represented by the Crown is the party moving. On its complaint before the magistrate the accused is bound over to appear: if he fail, his recognizance is estreated: all the witnesses are placed in the same position. Is Privilege to enjoin the magistrate to receive no depositions, and take no recognizance—or to order the witnesses, though bound over, not to appear at the hour of trial—or to inhibit the court from estreating the recognizances? Great vigilance may find out all that is going on, and great activity may thus oppose the proceedings in every stage—if Parliament is sitting. But if the prosecution choose to carry the bill of indictment before the grand jury with *ex parte* evidence (for they can hear no other)—and the defendant pleads and takes his trial—all may be concluded during a recess, before it is possible for either House of Parliament to interfere; the scandal of their doing so would be as useless as revolting. If, in the meantime, the party is acquitted, interference is unnecessary; the law has been found sufficient: but the party may happen to be convicted upon clear and satisfactory proof; and the only effect of depriving him of the shield of Privilege will be one in which all good men will rejoice. It has come too late to protest a perjured man from punishment!

The possibility of a collision between Privilege and the Criminal Law may involve still more serious consequences; to which allusion was made in the judgment of the Court of Queen's Bench in the case of Howard and Gossett, and which were glanced at, but by no means canvassed as their importance demands, in the late debates upon that case, as they are reported. The four judges were divided in opinion upon the sufficiency of the warrant to justify the trespass and assault complained of: all agreed that they were bound to examine into its sufficiency; but one of them was satisfied, while the other three appear to have held it insufficient. In the debates these judges were severely censured for so holding; it was observed that, whatever the form and construction of the warrant might be, the object of the House in issuing it must have been apparent to the court; and their adherence to its direct grammatical import was ridiculed as savouring of pedantry.

If in this warfare, or rather, let us say, this siege of the Court, ridicule were a lawful weapon, it might perhaps have been successfully pointed against the aggressors. For, of all the privileges that can be claimed, the privilege of issuing an unintelligible or ungrammatical warrant, and of having it interpreted,

not by any meaning that can be extracted from it, but by a plausible conjecture on the intention of the assembly from which it emanates, would seem to be the most preposterous. Why should so learned a body be exempted from the ordinary obligation of drawing up its instruments in such a form as may be clearly understood by all men, especially by those charged with the execution of them? Yet the argument was urged from high legal authority—as if the court were to guess at the wishes of others, which must be collected from all circumstances, instead of discovering the import of the document from its contents. *The warrant* is indeed an unsightly scrap of parchment, which senators may scorn to look at: but *the warrant* is the hinge whereon all legal proceedings turn: from that alone the officer derives his power to act. If resistance should be offered to him in the course of its execution, and death should unhappily ensue, an inquiry in a criminal court would be unavoidable, accompanied most probably with some inflammation of the public mind. Whether the homicide charged and brought to trial were a lawful act or a murder, must depend on the legality of the warrant; and that must be submitted to the judgment of the court. The judges of that court will necessarily be called upon to decide whether there was power to issue such a warrant, and to hold it unlawful, if convinced in their conscience that it was issued without legal authority. But, though they affirm the general power, the meaning and effect of the warrant must also be referred to the same arbitrement. And a third question will then arise,—whether the officer's conduct upon the occasion conformed to the warrant according to its meaning. Here is a series of questions, on which it is difficult to see how the power, of Parliament could be interposed, though the one or the other House, or both, might have proclaimed the strongest opinion on every branch of their legal merits.

When in the year 1810 the House of Commons resolved to imprison Sir Francis Burdett for a contempt, the legal consequences of his possible resistance do not appear to have entered into their consideration. But the popular agitation requiring Mr. Coleman, the serjeant-at-arms, as a prudent man, to arm himself with legal authority on the course to be taken by him, he caused a case to be stated for his guidance, and laid before the attorney-general of that day, the eminently learned lawyer Sir Vicary Gibbs. On the question whether he would be justified, in execution of the warrant, in breaking open the outer door of Sir Francis's house,—the answer was in these terms,—‘the officer must judge for himself, whether he will venture to act on my opinion, which has no direct authority in point to support it, but rests on reason-
soning

soning from other cases, which appear to me to fall within the same principle' (17 *Hansard, Parl. Deb.*, 566). No very perfect clue for pilotage through the slippery labyrinth of life and death! Lord Erskine afterwards, arguing strongly in the House of Lords in favour of the resolution of the House of Commons not to stay the action at law, but require their officer to plead to it, used the following language:—'Why was any danger to the House of Commons or the country to be anticipated from a sober appeal to the judgment of the laws? If his noble and learned friend (Lord Ellenborough) and his brethren the judges had no jurisdiction over the privileges of the House of Commons, they would say they had no jurisdiction.' If they thought they had, they would give a just decision according to the facts and circumstances of the case, whatever they might be. These facts and circumstances are considered, however, too clear for inquiry; yet the king's attorney-general, and a member of the House of Commons, when called upon by the serjeant for advice upon the subject, was obliged, and most properly, to admit that there was no precedent to be found for his forcible entry, and that if death ensued he could not undertake to insure him against a conviction for murder' (*Ib.* 852). Doubts of this serious and awful nature Wisdom may solve when they occur, but will be much more disastrous to avoid.

In the exercise of discretion in determining beforehand whether a certain line of extraordinary proceedings shall be voluntarily commenced, common prudence would appear to dictate some regard for such results as are here indicated. We venture to think that they have not been sufficiently weighed, if indeed they were at all taken into the account; and would suggest the propriety of this being done before perseverance in such a course is irrevocably resolved on. If the case for interference were clear beyond dispute, the consequences might be fitly considered; how much more so when serious doubt exists whether any of the late occasions created a necessity for this resort to Privilege, or even presented a case in which its operation could be reconciled to wisdom or justice!

What are the actions likely to be stifled by interference? If the practice were once well established, every action at law in which a member of Parliament anticipated defeat, or in which some electioneering supporter thought his interest in jeopardy, might be twice brought into discussion in the House of Commons prematurely, and not without some hope of influencing, if not preventing, the trial; and afterwards, to scare the successful party out of the advantage which the law had awarded to him. And there is reason to believe that this practice formerly prevailed

• extensively.

extensively. But the class in which interference is in the first instance most probable, is that connected with matters strictly parliamentary. A Committee of Privileges has inquired into charges of bribery at an election, and has acquitted the member impeached. An action is, however, brought against him for the penalty. Here, as in the case of *Ashby v. White*, Privilege may assert its own exclusive cognizance, and wrest the inquiry from the judge and jury. Or if the member had been convicted and expelled, though that sentence had been obtained by falsehood the most audacious and the most easy of proof, Privilege may interpose in behalf of the false witness, and consign the injured man to a dungeon for aiming at the exposure of calumny.

Some of the examples on which we have commented are acts of meddling with the concerns of individuals, affected by private bills, and more especially by those of the all-absorbing railway companies. Nothing had previously occurred to deprive the subject of his remedy for an injury brought upon him by such enactments, if fraudulently obtained: that frauds were unblushingly carried on to an enormous extent was universally believed—but there is reason to fear that the precedents established may give licence and security to any advantage, in whatever manner obtained, whether before a committee up-stairs, or through the vote of the House itself. And thus vigilance must be paralysed and punished precisely in those cases where the temptations to fraud render it the most necessary.

One thing only remains to be noticed,—a desire which has been expressed in some quarters to set all questions on this matter to rest by the enactment of a new law. Whenever such a proposal may be advanced, it will be entitled to the most respectful consideration: and in the meantime no word should be uttered which could prevent the experiment from being tried with every chance of success. Englishmen can never forget or overlook the public services rendered by the two legislative bodies, and especially by that which represents the people—the great abilities which are there displayed—the intelligence which they constantly infuse into the public mind. Whether the inferior qualities which are called into action for judicial purposes can be reckoned upon with equal confidence, may perhaps admit of reasonable doubt. But their usefulness in the daily concerns of life is also to be remembered. Be it kept in mind that the utmost care and jealousy have been employed for centuries in devising the means of selecting juries free from every bias of fear, favour, or affection: that the judges of the land have been studiously placed out of the reach of every feeling that can divert the mind of man from an honest pursuit of truth—and that their inde-
pendence

pendence was secured by the first act of that free parliament which, schooled by experience and suffering, fixed our constitution on its present basis: that to such juries and such judges the administration of the law, the most sacred of all trusts, is confided—sometimes, as in case of libel, with specified restrictions and defined precautions, deemed essential by the legislature for the security of the people;—and above all, that those laws can afford no guarantee for any of our rights, unless they are established, and capable of being understood, before they are called into operation.

ART. VIII.—*An Act for the better Securing the Payment of Small Debts.* 9th August, 1845.

IT is of the essence of our Parliamentary constitution that all legislative measures should be well weighed by both the Houses, and that the fullest opportunity should be afforded in each to correct errors, to counteract inadvertencies, to prevent trick and surprise—in a word, to ensure due deliberation and ample consideration of all that passes either chamber. With this manifest purpose have the Rules and Standing Orders of the two Houses been framed. Every bill ought in strictness to go through seven stages in one House and six stages in the other. If it is a bill sent from the Commons to the Lords, it does go through seven of these stages in the Commons and six in the Lords; if it is sent from the Lords to the Commons, then there are six stages in each House—the moving for leave to bring in, which is peculiar to the Commons, being here dispensed with in mutual courtesy among the Lords.

But there is this apparent anomaly respecting Amendments. These may be made at any stage of the bill, even at the last: hence they do not go through all the stages. In like manner a bill sent from one House may be amended in the other, and the Amendment is only considered once for all in the House from whence the bill comes as at first passed, and to which it returns as amended. Now it is quite manifest that this would open a door to the grossest abuses, indeed to an entire abrogation of the most essential standing orders, unless the fair and honest construction were put on the word Amendment. Thus no Standing Order can be suspended without notice; and therefore if it is deemed expedient at any time to pass over any stage of a bill which the Orders require, as, for instance, to read it more than once in one day, notice of a motion to suspend the Orders must be

be given. But as an Amendment may be moved without any notice, it is *possible* at the last stage of a bill, namely after the third reading, to move *as an Amendment* that all the bill after the word 'whereas' be struck out, and a totally new bill on a new subject be inserted. This *might* be adopted by a single vote, and then all that would remain would be the question *that this bill do pass*. In this way five stages would be dispensed with in the Commons; four in the Lords; and a bill would be hurried through without any notice, discussion, or deliberation. So, if a bill is sent from the one House to the other, it may, under the pretence of *amending*, be *wholly changed*, and a totally new bill be returned to the House from which it came, which House, instead of having six stages wherein to discuss and consider it, would have but one—namely, the one question put *to agree to the Amendments*. Hence it is quite clear that all the Standing Orders for protection against mistake, fraud, and surprise, proceed upon the assumption that no great change in the bill, no change which shall wholly alter its structure, above all no substitution of a Different Bill, shall ever be made under the name of Amendments. Good faith as much as common sense requires this.

We find, however, that the present House of Commons has thought fit to deviate widely from this obvious course, in a late remarkable instance; and as we are assured this has been permitted through inadvertence, we deem it our duty to state the case, in order to call the attention of members of both Houses to so important a subject during the calmness of the recess; for assuredly if the House of Commons shall frequently do such things, the House of Lords will speedily cease to be a legislative assembly in any practical sense of the word.

The petitions of retail traders all over the country complaining of an oversight in the acts abolishing imprisonment for debt, called the attention of the Lords early in the last session to the general subject of small debts. A Select Committee was appointed, and it sat during three weeks of May, the Lord Chancellor and the other Law Lords attending. Much evidence was examined, a bill was carefully prepared; the Committee reported the evidence, and desired the chairman to bring in the bill; the bill was brought in; it was discussed; it was unanimously approved, and passed through all its stages regularly; it was sent down to the Commons without occasioning a division or meeting a dissenting voice in any part of its progress. It consisted of eight clauses. It was confined to one subject, the subject alone referred to the Select Committee, alone spoken to by the witnesses examined, alone ever mentioned in the House during its discussion of

of the bill—that one subject was the process for obtaining payment of debts after judgment obtained by the creditor. Not a word was said of any trial of the suit between debtor and creditor. The law as to the obtaining judgment was left as before.

But in the Commons a totally different course was taken. Four of the eight clauses were struck out, and the other four were a good deal altered. But still this might be said to be only an alteration by way of *amendment*. Then no less than *one and twenty* clauses were *added*—and these were all applicable to the subject which had never been once mentioned in the Lords or touched by the bill sent down—they were all applicable to the recovery of judgments, to the trial of actions,—not to the execution upon judgments. They established a totally new system of judicature for the recovery of small debts. They altered the existing law on that subject entirely. They enacted a new small-debt code. In this form and so corrected the bill was returned to the Lords, and by a single vote the amended, that is to say, *the entirely new bill* was by the Lords passed, without going through any of the usual stages, and without being at all discussed.

It is said that the New Measure thus added to the Bill of the Lords, had been contained in a Bill which was before the Commons when the Lords' Bill came down, and that the said original Bill of the Commons was added to the Lords' Bill on a different subject. The truth is, that if this be so, the new law never had been opened and explained, much less discussed, in the Commons, and that ninety-nine in a hundred of the members, who may read these pages, will see for the first time what they have enacted. It was, we have reason to think, nearly as great a surprise in the Commons as in the Lords. But let us for a moment see what kind of measure has thus become the law of the land, without undergoing any of the usual, the constitutional, the absolutely necessary discussion and consideration which the House of Lords is peculiarly capable of giving to this class of legislative measures. It is no little measure—it is no small change in the law—it is no trifle that has thus been added to our Statute Book, by a very headlong decision of the Commons, and with hardly more than a nominal intervention of the Lords.

There are in England at least three hundred small debt courts, under the names of Courts of Request, Courts of Conscience, &c. These are constituted by above three hundred local Acts of Parliament; each Act, constituting one of these courts, was passed with sufficient deliberation through all its stages in both Houses of Parliament; each Act limited the jurisdiction in both space and amount; each Act appointed the judges of the courts thus constituted; and in only a portion of the courts did the Acts appoint as

one of the judges a lawyer, either barrister or attorney. Some courts had jurisdiction to the amount of 40*s.*; some of 5*l.*; some of 10*l.*; very few indeed of 20*l.*; and almost all judgments were final, no removal or appeal being generally allowed. We are very far from saying that this system was not capable of improvement; we do not even say that the new system put in its place is otherwise than an improvement; it may be in some particulars better and in others worse than the old; but all we now say is, that the system is wholly new, and we are about to show how, to introduce it, three hundred Acts of Parliament have been thus summarily dealt with, and by one branch only of the Legislature.

By the new Bill which the Commons alone passed—at least which went through only a single stage instead of six stages in the Lords—by that new Bill a power is given to the Crown, that is, to the Lord Chancellor and the Home Secretary, to alter in every respect the jurisdiction of the three hundred existing courts; to enlarge the amount from 40*s.* to 5*l.*, or to 10*l.*, or to 15*l.*, or as far as 20*l.* The like power is given to enlarge the bounds of the district over which each court's jurisdiction shall extend, and in some cases to narrow those bounds. Thus there is a power given to the Crown not merely to suspend, but to alter, in by far its most important particulars, above three hundred Acts of Parliament deliberately passed for each of the districts over which the powers and provisions of the Acts severally extended. There is also a new power of appeal given by *certiorari* in the largest cases. We are in general no enemies to lodging discretionary powers of amendment *pro re nãtã* in proper and responsible authorities; but, when done, it should be advisedly and deliberatively.

There is likewise a requisition that each Court shall have a lawyer added to its judges, and that lawyer is to have jurisdiction beyond the other members of the Court, and to act whether they attend or not. Neither do we object to this *per se*; but we only are showing the change which the bill, unconsidered by the Lords, introduces.

Again—touching the nomination of these learned judges; unless those having the choice shall exercise their power within three months, the patronage lapses to the Crown—and no judge can be appointed without the Royal assent.

Furthermore, all such judges are to be removable, and so are all judges already named, by the Lord Chancellor's mere authority, either for misconduct or for incapacity; and no provision is made for any of them being even heard in his own defence, when about to be removed; the proceeding is not either *in curiã*, nor even *in camerã*: it is in the Chancellor's closet, or in his breast.

Lastly,

Lastly, the financial part of the measure is worthy of notice. A table of fees to be taken by the judges, and by the other officers of these numerous Courts, is given, and we find them to be far from inconsiderable. Thus on a cause of 10*l.* the judge takes 13*s.*; on the smallest cause, 2*s.* 6*d.* The clerk's fees on the 10*l.* cause are 1*l.* 5*s.*; on the smallest cause, 6*s.* The fees of the other officers, as bailiffs, &c., are, on 10*l.* causes, 8*s.*; on the smallest causes, 2*s.* 6*d.* Thus the fees gathered on 10*l.* causes are in all no less than 2*l.* 6*s.*, or a fourth of the sum in dispute; and on the smallest causes, 1*l.* 1*s.*, which may be more than one-half the sum recovered. Now to all this we have a decided objection: the great evil of our whole legal system is *costs*; and, undoubtedly, the first principle of a Small Debt Bill should be that the costs should be reduced to the smallest possible amount. We should say, indeed, that there should be no costs, except (if it could be so managed) in cases of perverse litigation. There is a fund created, too, of unclaimed moneys, and as fully and as formally established as the fund of unclaimed dividends in Chancery. Fees, too, are authorized for building of Courts and other purposes: probably very proper, and even necessary, but which should certainly not be allowed to increase the expense of recovering small debts.

We suspect that few of our readers are aware of the vast number of small debt causes which will thus be disposed of, and consequently of the large salaries which this Bill creates. There are, for example, 14,000 causes tried in one of the Courts, of which returns are given in the evidence taken by the Lords' Select Committee. If we only take the average of these to be between 40*s.* and 5*l.*, and the judge's fees, according to that average, 3*s.* a cause, we have a salary of 2100*l.* a-year, which would thus be created for (possibly) some very obscure barrister, special pleader, or attorney of ten years' standing. Offices are to be found in this Bill of all sizes, from 300*l.* a-year to 3000*l.*

Now, again we entreat our readers not to regard us as objecting to a system of Local Courts. We, on the contrary, desire to see one well regulated, after due and enlarged consideration of this important subject. We greatly deplored the rejection of Lord Lyndhurst's Bill for this purpose in 1842—a rejection which was certainly owing to the Whigs—though we do not venture to adopt the story commonly told of the secret history of that rejection. But we think this is a Bill which above all others required full and deliberate consideration, not of the Commons only (by whom, however, it was not considered at all), but above all by the Lords; and we complain of so important a change in the judicial system of the country having been hurried through with-

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out the due concurrence of the hereditary judges and legislators of the land. The Bill, as it was thus passed, abounds (as might be expected) in error and oversight. Some competent persons doubt that it can be worked at all—we fear it cannot be usefully worked; but all who, like us, hold by the House of Lords and the Judicial System, must concur in the opinion that it never ought to have been passed in the unprecedented manner which we have described. It certainly cannot work so usefully as it would have done if it had been integrally and deliberately considered. And, considering that appointments once made, and emoluments once sanctioned, cannot be recalled without considerable inconvenience and hardship, we humbly think that the Government would do well, as far as they have the power, to suspend its operation; and at all events they should, we are satisfied, accompany any appointments they may make with a reservation of a power of amendment and alteration.

- ART. IX.—1. *History of the Church in Scotland.* By the Right Rev. M. Russell, LL.D., &c. 2 vols. London.
2. *Correspondence between the Right Rev. C. H. Terrot and the Rev. D. T. K. Drummond.* Edinburgh. 1842.
3. *The Scottish Communion Office examined.* By the Rev. D. T. K. Drummond. Edinburgh. 1842.
4. *Letter from a Committee of Managers and Members of St. Paul's, Aberdeen, to the Lord Bishop of London.* Aberdeen. 1845.
5. *Charge addressed to the Clergy of the City and District of Glasgow.* By the Right Rev. M. Russell, &c. &c. Edinburgh. 1845.
6. *Historical Sketch of Episcopacy in Scotland.* By the Rev. D. T. K. Drummond. Edinburgh. 1845.
7. *The Church in Scotland: the recent Schisms.* London. 1845.

FROM amidst the natural grandeur of Edinburgh, and its numerous features of exterior interest, the singularity of its religious aspect stands forth at this moment in bold and prominent relief. A walk from the recently erected hall of the General Assembly of the Established Church of Scotland, winding round the southern side of the Castle Hill, and onwards by the Lothian-road as far as the bridge which bounds the city towards the Queensferry, will occupy the visitor for about fifteen minutes, and will carry him past nearly the same number of places of divine

divine worship, situated either upon his line of march or so close as to belong to it. And these are not, like the thickly studded monuments of former piety in our cathedral towns, reverend in particular from age and from unity of purpose; but, as to the first, some unfinished and nearly all new; as to the second, appropriated to the uses of a motley crowd of differing communities. Thus our traveller may be tempted to imagine a new reason for the name or nickname, whichever it be, of *modern Athens*, and one little dreamt of by those who gave or accepted it, when he reflects that the apostle of the Gentiles was led from external appearances to signalize the Athenians of former days as being pre-eminently, yet without much discrimination, addicted to the observances of religion.

The truth is, that the visible picture, of which we have endeavoured to present a sketch, is a correct and lively emblem of the ecclesiastical condition of Scotland as a whole, and particularly of its towns. It is impossible, perhaps, to find a region in which, relatively to its population, there is a greater amount of active convictions upon the subject-matter of religion: and alike impossible to discover one in which the prospect is more faint and distant of harmonising and combining the energies now disjointed, estranged, and in conflict, for the purposes and according to the laws of Christian unity. There are no less than five religious bodies within the narrow range of Scotland, each of which may be regarded as having pretensions *in esse* or *in posse*, though derived from different sources, ultimately to lead and determine the religious tone of the country.—First, we will name the Roman Catholics, who of all the five are the smallest in numbers, and perhaps in importance; but who, from their never-abandoned claims, their organisation, and their connexion with a powerful and widely-spread Christian communion elsewhere, must be regarded as a distinct and proper element in the religious condition of every country where they have a footing.—Next comes the Episcopal Communion, of which, as of the Roman Catholic body, the strength is not numerical. It has about an hundred congregations, some of them very large, but the greater part of only moderate numbers. It has, however, the only episcopal succession in the country, with its claim thereby to represent in a spiritual sense the ancient Church, and with its sisterly relation to the Church of England: while it likewise numbers among its adherents considerably the greater part, as is supposed, of the landed proprietary, and, in general, a large proportion of the more highly educated classes.—We shall place third upon the list the United Secession Church, or old Presbyterian Dissenters of Scotland. The nucleus of this body consisted

sisted of those persons who for the most part quitted the establishment above an hundred years back on account of their vital objection to the system of patronage, placed practically in abeyance at the Revolution, but gradually restored to stringent vigour after the act of Queen Anne in 1712. Here we are to look for the proper home of *radicalism* in Scotland, so far as it is associated with religion: and this is the body which we should point out as occupying there the place which in England may be said to be held by the Protestant Dissenters generally. It comprises from three to four hundred congregations.—Fourthly, we come to the Free Church; undoubtedly the chief inheritor of the traditions of the early, and especially of the middle, Presbyterianism of Scotland. Here is the hard-favoured but manifestly legitimate descendant of Knox and Melville, of Cameron and Cargill. The spirit which animated those men, whatever else it may have been, certainly was a notable fact in the history of the world. On the one hand, *dour*, dogged, and unruly; having little of the serpent, and nothing whatever of the dove; hedged in between the narrowest defiles of prejudice, and unable not only to see but to believe in any world beyond them; on the other hand, bold, resolute, enthusiastic, indefatigable, not less earnest than intolerant, not less self-devoted than self-willed, masculine alike in its virtues and in its faults—it supplied a picture for the master's hand, and within our own memory that hand has been found to draw it. But it is not only a picture; it is at this hour a living reality—though softened and attempered by the powerful influence of time to the age in which we live, yet still retaining some of the narrowness and some of the sternness, with as we believe all the courage and all the fervour of its earlier and more renowned existence. The Free Church of Scotland, as it is called, is about two years and a half old. Within that period it has levied in voluntary contributions, from the less wealthy classes of a not very wealthy people, some seven or eight hundred thousand pounds. Its original ministers are a body of persons of whom a large portion abandoned actual benefices in the Establishment, and the remainder the road to such benefices, because Lord Aberdeen and those for whom he acted would not allow that the acceptableness of a candidate for a charge was to be considered unconditionally and universally as among his qualifications for it; or, in other words, would not give an irresponsible right of rejection to the people. The notion for which these men abandoned their warm firesides is to the minds of Englishmen shadowy, thin, unappreciable, in great part unintelligible. The secret of its strength and sacredness to the minds of a large number of Scotchmen is to be found, if anywhere, in the peculiar history of the Scottish Reformation, of which it appears to have been

been a secret instinct to replace, or to aim at replacing, the title, commission, and ecclesiastical descent of the former Church, by an authority purporting to be derived immediately and of divine right from the Christian congregation at large. The Free Church, therefore, is strong in its relation to the Presbyterian traditions of Scotland. It is strong in zeal, as may appear from the few words in which we have spoken of its efforts and its sacrifices. It is strong in unity of doctrine: nothing can be more remarkable than the patience, nay the pride, of great numbers of Scottish Presbyterians under the yoke of Calvin, as compared with the uneasiness of the modern Germans under the mere shadow of the yoke of Luther. Lastly, it is strong in its numbers, counting something near seven hundred congregations: it bears the Establishment in a majority even of rural parishes throughout the country generally; and in some districts, as in Sutherland, it is evidently and undeniably the Church of the people.

We have reserved for the last place in our enumeration the National, or, as it is contemptuously called by the rival body, the Residuary Establishment. There can be no doubt that the Kirk of Scotland lost by the secession of 1843 the great majority of its more conspicuous and popular ministers. As little can it be disputed that we are not now to look within its bounds for the spirit which anathematised the Black Indulgence, which repudiated Leighton's Accommodation, which prompted the risings that terminated at Pentland and at Bothwell Brigg, the Covenant of Queensferry, the Declaration of Sanquhar, the Excommunication of the King at Torwood, and, in a word, which finally achieved the legal and political establishment of Presbyterianism in Scotland. We can find no counterpart to the present Kirk in the struggles of a century and a half, from the Reformation to the Revolution. Perhaps it more nearly represents the indulged ministers of the time of the later Stuarts than any other class. But, on the whole, it must be considered as answering to the large neutral mass which subsists in the composition of all communities, which enters into the *substratum* of history, but gives to it little or no portion of its form. For it is still an extended mass, and has elements of strength after a kind of its own. It is certainly and considerably the largest religious body in Scotland, though less numerous perhaps, or on the most favourable showing not more numerous, than the aggregate of those which are opposed to it. It has the vantage ground of law, and holding the churches, the schools, and the universities, it is secured, at least for the time, even by its external points of contact with the people, in the command of many of the avenues to public and general attachment. Over and above the fact of possession, it has great advantages in its composed

composed and tolerant spirit, in its willingness to live on good terms with all men, in the general respectability and competency of its ministers, and in its presenting the natural and only rallying point for the whole Conservative feeling of the country, properly so called, as far as it applies to religion. In this way, Presbyterianism notwithstanding, it comes under the sheltering wing of the Church of England, and claims a common interest, inasmuch as both have standing-ground in the law and alliance with the State, and the removal of the one may, at least in some qualified sense, afford a precedent or a pretext for assaults upon the privileges of the other.

Such then, without reference to a host of minor bodies, is the variegated surface, which an ecclesiastical map of Scotland presents to view. But there are some common properties, in the midst of so much diversity, which ought to be noted. Besides the positive characteristic, namely, that all these bodies have lately acquired, though in different forms, an increased activity, they have a remarkable resemblance in one negative but very important feature, their indisposition to move the waters of religion by the spirit of speculation. Although within the last two or three generations the philosophic mind of Scotland has undergone a powerful fermentation, yet the forms of religious opinion prevailing in that country have remained, in a remarkable degree, exempt from its influences. No theological school of any kind appears to have been either formed, or even modified, under its operation. So likewise, although that country has abundant quarrels belonging to herself in matter of theology, she is but slightly affected by those of her neighbours. All her religious parties seem to move in an orbit of their own, and to remain singularly faithful to the traditions under which, whether new, middle-aged, or ancient, they severally exist.

We do not indeed say that speculation has no home in that country, but simply that, notwithstanding the number and distinction of her speculative men in recent years, Scottish philosophy has not wrought itself into Scottish religion, whether to illustrate and defend, or to corrupt, relax, and destroy it. It remains there as an alien power, and, as we fear, works upward from the masses. It is certainly no good augury that infidel works should, as we believe to be the case, be largely read in cheap and popular editions by the mechanics and operatives of the great towns of Scotland. The small bookshops which there, as with us, expose to view the intellectual stimulants offered to the people, and which in London abound in extravagant caricatures and more or less scurrilous political publications, in Glasgow are supplied with subtler and more deleterious matter in the productions of
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foreign and domestic unbelievers. The consequences, indeed, are less apparent upon the surface of society, because public opinion in Scotland demands with unsparing rigour from each of its members, unless in the higher classes, a certain participation in the observances of religion. But one of the peculiarities of that country is, that on account of the very urgency of this demand, we must not expect to find exactly the same relation prevailing between the standards of profession and practice, as in a country like England, where the individual is practically more free to think and act for himself, and to disregard appearances if he pleases: the case of Scotland has in this point some resemblance to that of the most strictly Romish countries where the exterior and perfunctory discharge of religious offices, being a condition of social existence, is yielded with a reluctance little more than passive, while, under cover of this protection, unbelief is silently but profoundly and permanently entertained.

It may be saying little to observe, that the Romish communion in Scotland has produced no Nicholas von Hontheim, no Hermes, no Czerski, no Ronge, because it has no substantive Scottish character, and must be regarded simply as a branch or twig of the papal tree fed from without. But it is a fact very well worthy of remark and of investigation, that the whole Presbyterianism of Scotland—be it Established, be it Free, be it Seceding—has been so entirely unprogressive, and has rested content, under all its diversities of communion, with the singularly technical and unpliant forms of the Westminster Confession. It has had, on the one hand, no Pietists: on the other, no Rationalists, no Friends of Light, no elasticity of thought or opinion, no desire to develop and appropriate a theology for itself. Singularly contrasted in these respects with the sister forms of Christianity in Switzerland and elsewhere, it has employed its universities, so far as religion is concerned, not for scientific purposes, but simply as the ministers of its external and popular activity; and has thereby afforded at least a remarkable indication of the firm texture, the substantive masculine independence of the national character—its freedom from wants, and abstinence from indulgences, which have driven persons and communities of a different temperament into the utmost extremities of excess.

The same *substantiveness* of character, if we may be allowed the expression, is traceable perhaps to a yet more remarkable degree in the Episcopal Communion of Scotland; and here, on account of the limited scale of its numbers, the phenomenon is the more singular. Brought down, at times, by the continued hostility of opinion and of law, to the verge of absolute exhaustion, it has retained through all vicissitudes, as now appears, together

with its vital and expansive powers, that unity and continuity of idea which we have indicated as so peculiarly Scottish. The same uncalculating desperate fidelity, which has ever formed the glory, especially of the Highland character, and which shed so much grace and lustre around the struggles and last history of the Jacobites, is reproduced, and again presented to us, in the ecclesiastical character of the Scottish Episcopal Communion.

To this portion of the religious organization of Scotland, after the slight and rapid sketch just attempted, we propose to give a more particular attention, and this for several reasons. First, because the Episcopal communion is the only body north of the Border with which, as members of the English Church, we have any religious concern of a kind at once determinate and amicable; secondly, because the character itself is one presenting some points of comprehensive, and, so to speak, Catholic interest; and lastly, because it is not impossible that important practical and legal questions may arise in England out of the subsisting relations of the Scottish Episcopal communion with our Church.

In the first place, there is a dense cloud of false information and false impression, that now darkens the religious history of Scotland, and which the dispassionate researches of the present age may, we trust, gradually remove from the public mind. Let us ask ourselves what is even to this day the popular impression, as to the history of Episcopacy in Scotland from the time of the Restoration onwards? We apprehend it is pretty accurately represented by the following series of propositions:—First, That through the treachery of Sharp, and the determination of the civil power to establish religious uniformity in the two countries, the prelatical government, with its usual accompaniments, was forced upon Scotland after the accession of Charles II.; that the people of Scotland were generally and radically opposed to it; that military force and many cruel and arbitrary impositions were employed by the State and the Church conjointly, for the purpose of establishing this ecclesiastical system in defiance of the general wish; that at length, when upon the arrival of William of Orange the civil government of the Stuarts was overthrown, the *incubus* of Episcopacy as a matter of course fell powerless to the ground, and the Presbyterian system, which had always possessed the affections of the people, naturally as it were, and without effort, took its place among the legal and public institutions of the country. And if any one thus impressed has ever taken the trouble to inquire what became of the Bishops and their followers after the Revolution, he probably will not have pursued the subject farther than to an acquiescence in some vague idea that Episcopacy, like a whipped hound, went howling into
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the wilderness, and has since been skulking in the obscurity which belongs to its insignificance in a country where it is without any substantial following among the people, and to which it has been consigned by a wise and contemptuous toleration on the part of the Legislature; until at length this busy age, which exhumes and revives everything, has brought even Scottish Episcopacy into a kind of galvanized activity.

This, we conceive, is no inaccurate summary of the notions popularly current,* not only among opponents of Scottish Episcopacy, but likewise in the world at large with respect to it. At the period when, under the government of Mr. Pitt, it became a subject of Parliamentary discussion, there were persons of great eminence who confessed that they were in total ignorance of his character and even its existence. Indeed it may be said, that the removal of the penal laws was postponed for a year, because Lord Thurlow had not had opportunity or inclination to inform himself what was the religion of the Scottish Bishops and their adherents, or whether they were of any religion at all.

It cannot be our task, within the compass of these pages, to rectify the history of a whole period; but we shall briefly indicate some circumstances that may infuse some elements of caution and suspicion amidst the mass of misconception, and serve to indicate the general direction in which the truth is to be sought and found.

First, then, let it not be supposed, that what was enforced in Scotland under Charles II. was the Anglican system. There was probably no such desire, certainly no such attempt, on the part of the ruling body. Without doubt it was a body of low moral tone and of despotic acts and inclinations: but this is not a reason why those acts should be represented otherwise than as they really were. Now the maximum demand of the Government in Scotland after the Restoration, we believe, was this: that those who had acquired illegal possession of their parishes, under the Usurpation, should simply accept presentation from the patron and collation from the bishop. No question of doctrine, commonly so called, was brought to issue. The Westminster Confession indeed was displaced, but only to revert to that of 1567, in which there surely was no tint of black prelacy. There was no question of ritual in dispute: no liturgy, no set form of prayer, no kneeling at the Holy Communion, no altars or surplices—no crosses, rings, bowings, or other antichristian abominations. The use or non-employment of these was left to be ruled in particular parishes according to inclination; and it is, we apprehend, indisputable, that in point of fact they were not enforced, and generally not practised. The machinery of synods, presbyteries, and sessions, was

retained, but of course under episcopal authority. The government of the Church was placed in the hands of a National Synod, consisting of a single house, in which the Bishops were greatly outnumbered by the Presbyters. The English Dissenters, it is notorious, would have been overjoyed to receive offers much more restricted than these.*

It is stated on the Episcopal side that from one to two hundred ministers quitted their parishes rather than submit to these terms. The Church had no representation in the Council at the time: and we are told, on the authority of Kirkton,† that Archbishop Sharp disapproved of a proceeding so summary. But if, as we may well believe, it was both unwise and tyrannical, we must recollect that the bloody and heart-rending conflicts of the time did not turn upon the question thus raised. Toleration and comprehension were both attempted, and both in vain. In June, 1669, the Indulgence was issued, which allowed the 'outed' ministers, subject to the approbation of the Privy Council, to be appointed to officiate in any parish vacant or falling vacant, without any submission or stipulation of an ecclesiastical kind required from them. It was renewed in 1672 and in 1679. Almost immediately after the first of these, Leighton attempted to gain the purposes of union by concessions so large that he scarcely retained any feature of Episcopacy. The Bishop was to be perpetual moderator in the diocesan Assembly; but, while he could not act against its will, he had no *veto* upon its proceedings. The only question that will now be raised among us is, whether the loving spirit of that admirable man did not lead him to an actual surrender of the substance of Episcopacy for the sake of reconciling the Covenanters to its name. It was not, however, on this account, that he failed: his plan was repudiated by those for whom it was intended; and not only by the Mucklewraths, the Macbriars, and the Kettledrummies, but by the very Poundtexts themselves—by the indulged ministers who had been admitted into parishes with the approval of the Privy Council, and who by becoming the objects of that approval had utterly lost caste with their brethren of undiluted principles, and were esteemed guilty of an 'homologation of Erastianism.' Thus, then, the quarrel between the Government and the Covenanting ministers was not upon the question whether they would submit to even the most qualified Episcopacy, but whether they would accept of the permission for themselves, and confine their ministry within the bounds of their charges, abandoning thereby their general crusade against the established reli-

* Bishop Russell's *History of the Church in Scotland*, ii. 230-5; Stephen's *History of the Church of Scotland*, ii. 510.

† Kirkton, p. 150. Ed. Edinb. 1817.

gion of the country. In point of fact, these approaches made towards toleration by the offers of the Council in Scotland, though later and less than they ought to have been, were large and early with reference to the temper of the time, of the country, and in particular of those with whom they had to do.

We are thus led to the next question—Why was the Government of Charles thus, on the whole, anxiously engaged, though with many fluctuations of purpose, in the maintenance of Episcopacy in Scotland? The religious aim of the King we know was indulgence and toleration with a view to the advantage of the Church of Rome: his political aim was approximation to an absolute government. Lauderdale, his principal instrument in Scotland, was of Presbyterian opinions, at least during great part of his ministry. Why, then, these continual efforts, and why all the oppressive and savage proceedings of a lawless soldiery quartered upon the people?

The question presented to the State at the Restoration was not what ecclesiastical system should be tolerated, but what should be established. They had before them two of a definite character—the Covenant, and Episcopacy. It is true that there was a party of comparatively moderate Presbyterians under the Usurpation: but, firstly, it is reasonable to believe that under this name many of those who desired Episcopacy sought for shelter; secondly, that a party so composed, as a whole, had not the means of sustaining itself in power against the fanaticism of the Covenanters on the one side, and on the other against the powerful tide of loyal feeling which brought with it a sympathetic movement in favour of government by bishops. Nor were any body of genuine Presbyterians at that period prepared to depart from the Covenant, or to grant a toleration. The alternative, then, opened on this side was to establish a religious sect which forswore prelacy, not only for itself but for the three kingdoms—with whose followers it was a living and cardinal idea to destroy by force the Church government of England and Ireland, and to bring the people of those kingdoms to an uniformity in religion with themselves, an insignificantly small minority of the whole people. This was no mere opinion of their schools: it was that which they had done, and were prepared to do again. In 1660, the Covenanting party of Scotland denounced the re-establishment of the Church in England by Charles as an act of perjury, and denounced judgment on him if he should not return to the Covenant.* Nay, more than this: with them, as with the Roman doctors of the time, the title of the Prince depended on his acceptance of a spiritual symbol;

* Burnet, B. ii.

in their view there could be no separation of the Covenant and the Crown; the renewal of that fearful engagement was the cornerstone of their proceedings when they took to arms; and, in 1680, Cargill at Torwood excommunicated the King 'by the power and authority of Jesus Christ.' It is difficult to confute the profession of Charles in his letter of 1673—'It is not for their opinions, but for their traitorous practices, that we intend to punish them;' or that of the Council, in its letter after the assassination of the Primate—'We never straitened the liberty of any religion, save that which dissolved the principles of human society;' that is to say, of human society so constituted, of a kingdom in alliance with two other and greater kingdoms, whose religious institutions the Covenanters were determined to subvert. A great degree indeed of toleration was offered by the Indulgences; but with no softening—on the contrary, rather with an exasperating effect on the extreme party: for even of the indulged ministers themselves* some were compelled by the violence of the populace to fly their homes. At the same time, we must admit, that we are here examining the right and reason of the case as it stood in itself; and that we must pass by the inquiry, whether it was in any manner qualified by engagements on the part of Charles, with which the Church had no concern; and thus regarding it, we do not perceive how the Covenant could have received a legal establishment in Scotland without disturbing the peace of the three kingdoms. It will not do to say—this course was taken under William, and succeeded. It was taken: and with great difficulty and many checks the Presbyterian assemblies were kept in order; but the change of times and opinions between 1660 and 1690 had been immense; and it was one thing to come into power after the severe experience of thirty years under the Stuarts—it would have been quite another to carry onwards from 1660 that iron system which prevailed under the Rebellion, flushed with its recollections of successful violence, and not only averse to toleration, for that was the general temper of the time, but by a fanaticism of its own treating indulgence to differing opinions as a capital offence against the Majesty of Heaven. Sharp, as the delegate even of the Resolutioners, was instructed, in 1660, to obtain the removal of such relaxations as had been granted under Cromwell; but these had never been extended so as to include either purple Popery or black Prelacy; they were for the benefit of the Independents.

It is plain that if Presbyterianism had been adopted there could have been no toleration of Episcopacy: and what if we should

* Stephen, iii. 112.

assert that in such a case the desires of the great majority of the people of Scotland must have been stifled to give effect to those of a small minority? The act restoring the Church government passed (1661) through parliament with only five dissentients.* Middleton assured Charles that the great mass of the Resolutions were prepared for Episcopacy: Glencairn, that six for one desired it. These indeed may be suspected witnesses: but Douglass† had written, 'the generality of this new upstart generation have no love to Presbyterial government; but are wearied of that yoke, feeding themselves with the fancy of Episcopacy or moderate Episcopacy.' Guthrie allows that its introduction was inevitable;‡ and it is wonderful how long we have indolently acquiesced, in the representation, which received the seal of authenticity from the spirit of party at the Revolution, that the people of Scotland were forced at the Restoration to bow their necks to an ecclesiastical system which they abhorred. Certainly the policy of the government was sufficiently exhibited before 1673: but in that year Burnet printed an eulogium upon Lauderdale§ which endows him with every virtue under heaven, and vindicated the course which had been pursued. Nor does he in his history, we apprehend, speak of the popular feeling against the bishops as prevalent anywhere except in certain districts of the south.¶ It is stated that before 1688, in the whole country north of Tay, || there were only three or four Presbyterian meetings; but upon this subject we choose rather to quote the testimony of Kirkton, as that of an opponent:—'Truly at this time (1665) the curates' auditories were reasonably throng: the body of the people in most places of Scotland waited upon their preachings.'¶¶ And there is abundant evidence from later records of the numerical strength of the Episcopal party; although their views of civil obedience as affecting the individual, and the general temper of their religion, indisposed them to those means of making it felt which had been so much in vogue among the followers of the Covenant. No regular parliament was called under William, for fear the settlement of the Kirk should be disturbed. Calamy** travelled in Scotland in 1709, and learned among the Presbyterians that the Kirk settlement could not be maintained except by means of the Union. Even so late as the period of the rebellion of 1745, it is stated that there were no less than eighteen

* Stephen, ii. 433.

† Stephen, ii. 334.

‡ Guthrie's *Scottish History*, vol. x. p. 78.

§ Burnet's *Vindication of Church and State*, dedicated to Lauderdale, 1673.

|| Bp. Russell's *History of the Church in Scotland*, vol. ii. p. 359.

¶ Kirkton, p. 221.

** Calamy's *Historical Account of his Own Life*, vol. ii. p. 171.

congregations under the Scottish bishops in the city of Edinburgh. Calamy had found eleven at a time when some of the clergy still continued to hold their churches.* These, under the subsequent action of the penal laws, were reduced to one, which still subsists and flourishes.

Nor can there be a greater mistake than to suppose that the government under the later Stuarts took its cue from the bishops. To act against the Covenanters was one thing, to act for the Church was another. In its own interest it did the first, and with tyranny and cruelty; but the same tyrannical inventions were frequently turned against the ecclesiastical authorities. † The Assertory Act of 1669, in vain opposed by the bishops, placed in effect all church power at the disposal of the crown. The Test Act of 1681 was not less extravagant in its enactments. Within the short period from 1669 to the Revolution, Archbishop Burnet was suspended; eighty clergymen of the diocese of Aberdeen deprived; Bishop Bruce and Archbishop Cairncross deprived. The schemes of the civil power in favour of absolutism and Romanism, which bore especially upon the Presbyterians, caused likewise at times a severe pressure on the Church.

And why was the Episcopal government overthrown? The day of delusion with respect to this subject is, we are persuaded, near its close. William, according to Burnet, had no disinclination to Episcopacy as a form of government, but quite the reverse.† In England, while the primate with a minority adhered to the Stuarts, a decided majority of the bishops either promoted or accepted the new settlement. It is established by the clearest evidence that the King was prepared to have maintained the Church in Scotland, if the bishops of that country had been likeminded with their English brethren. Upon this subject our authorities shall be brief; but pertinent, and beyond question. Guthrie,‡ a Presbyterian writer, says, King William hinted that if the bishops would support him, he would support them. Burnet, who in reference to such matters is even more than a Presbyterian, says § William answered the Dean of Glasgow, who had been sent up by the Episcopal party, ‘he would do all he could to preserve them, granting a full toleration to the Presbyterians, but this was in case they concurred in the new settlement of that kingdom.’ Even Neal,|| while he asserts that there was a resistless popular impulse in favour of Presbytery, concurs in the statement of Burnet, and like him proceeds, ‘the bishops, instead of submitting to the Revolution, resolved unanimously to

* Calamy, ii. 161.

† Guthrie, x. 280. 289.

‡ Burnet, Book iv., An. 1686.

§ Burnet, Book v., 1689.

|| Neal, ii. 805, ed. 1754.

adhere firmly to King James, and declared in a body with so much zeal against the new settlement, that it was not possible for the king to support them.' Upon these accounts we are content to rely. The narrative, indeed, of the Episcopal envoy announces an unqualified offer on the part of William through Bishop Compton:—'He bids me tell you, that if you will undertake to serve him to the purpose that he is served here in England, he will take you by the hand, support the Church and order, and throw off the Presbyterians,*' It is likewise asserted on the same side, that at the very last moment William renewed his offers to the bishops through the Duke of Hamilton;† and further, Guthrie,‡ in his account of the Scottish Convention, uses these words: 'a new Revolution must have been the fate of Scotland, had it not been for the conscientious part of the Jacobites, who refused to take the oaths to qualify themselves to sit in parliament.' The majority, thus created by their withdrawal, effected the restoration of Presbyterianism.

The bishops had, on November 3, 1688, addressed to James a formal letter of unqualified adhesion; and the Episcopalians were thoroughly and almost unanimously Jacobites. Under these circumstances, as King William said, he could not swim with one hand, and he supported the party that supported him, while on the other hand he did much to curb it. From this time forward the fortunes of the bishops and their Church were upon the whole dark and calamitous, though with some gleams of sunshine as at intervals the prospects of the exiled family improved. It may be that, as Burnet charitably states in relating their conduct at the Revolution, they then anticipated with confidence a new Restoration of the Stuarts: still their unanimous fidelity, however the opinion that governed them may have been mistaken, was honourable, and in its unswerving continuance for a hundred years of gradually decaying hope, it became heroic.

But we must not too severely judge the conduct of the government. The Church had virtually proclaimed an internecine war against it. It had not indeed to apprehend from her what her principles forbade, namely, the resistance of the subject to authority. But this was not precisely the aspect of the case in the view of the Episcopalians. It was a case of civil war between two races of rival claimants for the throne, intermitted, indeed, but never at an end so long as the Stuart family continued to exist. The new government therefore was compelled in self-defence to view their body as a powerful and dangerous intestine foe. And the mea-

* Bishop Rose's Letter to Bp. Campbell, in Keith's Catalogue of Scottish Bishops, pp. 69-71, edit 1824.

† Stephen, vol. iii. p. 401.

‡ Guthrie, x. p. 301.

asures taken against them were not in intention, though they were in effect, those of religious persecution. Three hundred clergy * were ejected in 1689, and others at subsequent periods, but many were permitted to remain, upon the condition of taking the oaths or of praying for the sovereign, of which perhaps the performance was not rigorously exacted; and even in the close of the reign of Anne there appear to have been two hundred of them still in legal or virtual † possession. But of course they had had little or no share in the ecclesiastical government of the country, though they had been permitted to retain their cures in a condition somewhat analogous to that of the Indulged ministers under the Stuarts. In the reign of Anne, notwithstanding the opposition of the Kirk, an Act of Toleration was passed in their favour; but the accession of George, and the failure of the rebellion of 1715, again smote down their hopes; and the acts of 1746 and 1748 made it severely penal for any Scottish Episcopal clergyman to officiate, unless in a private house, and even then if more than four persons besides the family were present. Thus the fortunes of the Kirk came, through circumstances, to be, especially from the time of the Union, closely and effectually bound up with the general peace of the three countries, and with their public institutions, including the Episcopal Establishments of England and Ireland—a combination by much too powerful for the ejected Scottish bishops and their followers to resist. They were supported only by a titular prince, himself estranged from them in religion, and a beggar at a foreign court. And last and worst of all, the channels of religious sympathy from the English Church were stopped up: the very same opinion which wedded Scottish Episcopacy to the alien dynasty of the Stuarts, associated it in like manner with the alien Church of the Nonjurors.

This chapter of its history came to a close in the year 1792; when, as the Pretender was dead, and the Scottish bishops and their clergy declared their unqualified loyalty to the reigning sovereign and his descendants, the proscriptive laws were repealed, and the old Episcopacy of Scotland again crept forth from its hiding-places into the light, and began to feel the warmth of day. By degrees the English clergy, who had been brought in to supply its place, attached themselves to its communion; and the English bishops, in the year 1805, accelerated this process by an unequivocal proof of their judgment in favour of such sub-

* Lawson's Episcopal Church, ii. 135.

† Lawson, ii. 515, from a MS. in the Advocates' Library. In strict possession there were 122, besides 97 parishes which had no Presbyterian ministers.

mission. The absorption four years ago had become all but complete, when new actors and new mischiefs came upon the stage.

In the month of October, 1842, with declared personal reluctance, but under a strong impression of official duty, Dr. Terrot, Bishop of Edinburgh, addressed Mr. Drummond, one of his clergy, on the subject of a prayer-meeting which it was his custom to hold weekly during the winter in a hall hired for the purpose. The bishop referred to the 28th Canon of the Church, which contained the words:—‘That if any clergyman shall officiate or preach in any place publicly, without using the Liturgy at all, he shall for the first offence be admonished by the bishop, and if he persevere in this uncanonical practice shall be suspended, until after due contrition he be restored to the exercise of his clerical functions’ (*Canons of Episc. Ch., Edin., 1838*).

The bishop considered that the meetings, such as they had been described to him (indeed they seem to have had all the parts of a complete Presbyterian service), amounted to public ministrations, and as such he resolved to stop them. Mr. Drummond, on the other hand, ‘had invariably regarded them in the light of private ministrations, and as such in no wise affected by Canon xxviii., which he with many others had held throughout as applicable solely to the recognised public ministrations of the sanctuary’ (*Corresp.*, p. 23).

It appears that these assemblages were usually announced in the congregation (*ib.* 18); that they were held in a room hired by Mr. Drummond (*ib.* 15); that he had been solicited to obtain a larger room for extending the accommodation, and had declined, because he wished only to hold ‘large family meetings’ (*ib.* 24); and that they were attended indifferently by persons of the congregation, and by strangers (*ib.* 18).

According to the law of the Episcopal Communion of Scotland, the bishop can admonish of his own motion, but he can only suspend with his Presbyters as assessors, in open court, after regular hearing; and an appeal lies from any sentence of his to the College of Bishops. In this particular case, doubt had arisen as to what constituted a public, as distinguished from a private ministration. The bishop appears to have felt the difficulty in which he would be placed, if Mr. Drummond should accept his individual opinion upon such a subject as conclusive; and he took, as it appears to us, the rational method of bringing the matter to a more satisfactory issue. He addressed Mr. Drummond as follows:—

‘I entreat you to reconsider your intention of resigning. If indeed you consider the law to mean what I maintain it to mean, it must be the Church,

Church, and not me individually, to which you feel yourself opposed. But if you think that I am in error, do not, I pray you, desert the Church for the supposed injury inflicted by one of her ministers, so long as a remedy for that injury remains to be tried.'—*ib.* p. 28.

We are deeply convinced that if Mr. Drummond had acceded to this wise recommendation, the kindly temper and moderate views which distinguish the bishop, and which likewise appear to us to be traceable at that time in the conduct of Mr. Drummond, could not have failed to lead to some arrangement which, by confining the prayer-meeting to the members of his congregation, should have brought it into some sort of harmony with the Canon. The defence of this unhappy error of judgment is more singular than the error itself. He says, 'I must have committed a clerical misdemeanour, by refusing to listen to the bishop's admonition, before the matter could have appeared in the Diocesan Synod.'*

But the bishop had not only suggested, he had entreated this very thing. *Volenti non fit injuria*; much more than *roganti*. Mr. Drummond was fastidious indeed in his respect for the Episcopal office, when he would not, even in concurrence with its occupant, consent to let an admonition pass *pro formâ* in order to bring the merits into full and open discussion. If he had better understood the nature of law, and of the Church as an orderly society, he would have known the value of judicial forms in all contentious questions, and would also have been aware, that no greater kindness can be conferred upon persons in authority, if they are honest and candid men, than to subject their impressions and views to the most strict scrutiny before they take the form of conclusive judgments, instead of first precipitating their arrival at that ultimate form, and then rising up in open revolt against them.

So, however, it was; Mr. Drummond's language at this stage was like that ascribed, we believe, in some of our grammars to the Frenchman not yet master of our future tense:—'I *will* be drowned, and nobody *shall* help me.' He accordingly resigned his charge under his Scottish bishop; but immediately thereafter he appeared in a new character, as the pastor of a pretended English congregation in Edinburgh; and his chapel is one of those which salute, or rather smite, the eye upon the walk which we traced at the commencement of this article; a building of a shape and front just as anomalous in relation to architecture, as is the position of those who occupy it in relation to all that distinguishes society from a moral chaos, or a rope of tow from a rope of sand.

* Reply to Resolutions of the Clergy; p. 14.

But 'the beginning of strife is as when a man letteth out water:' and Mr. Drummond, having thus summarily and almost eagerly quitted his post, began seriously to alter both his views and his tone. It will perhaps scarcely be believed, but so it is, that Mr. Drummond, quitting the poorest church on earth, and proclaiming at the same time his unimpaired connexion with the richest, compares himself in print to the three children of Israel under Nebuchadnezzar, and in a transport of faith exclaims,—

'Our God, whom we serve, is able to deliver us from the BURNING FIERY FURNACE, and he will deliver us.'

This is the closing passage of his 'Reasons for withdrawing from the Scottish Episcopal Church,' and continuing to minister in Edinburgh 'as a clergyman of the Church of England.' The evident and grinding hardships of this position recall the truly pathetic description of the Athenian envoys in the *Acharnæ* of Aristophanes:—

ἐφ' ἄρμαμάζων μαλθάως κατακείμενοι,
ἀπολλύμενοι.—v. 70.

This, however, is the common infatuation of those who suppose themselves to be martyrs. It is a more serious evil, when persons endeavour to burn the house out of which they have driven themselves, and, though with sincere intention and in ignorance, are tempted to magnify the importance of their immediate quarrels by dragging other and greater subjects out of repose into the arena of contention.

Thus it happened, that while Mr. Drummond was on the point of assuming his new position, he saw in a new and baleful light an Office of the Scottish Episcopal Church, with which he had up to that time lived in perfectly good neighbourhood. His correspondence with the bishop ended on the 22nd of October. On the 4th of November (*Reply to Resolutions*, p. 13) he had, by the aid of 'an English clergyman,' discovered 'another and an insuperable barrier to the possibility of his ever returning' to the communion he had left. Shortly afterwards, in another publication, he made this astonishing announcement:—

'That in the two following points she (the Scottish Episcopal Church) is vitally opposed to the Church of England in her standards and offices; viz.,—

'1. Because she propounds the doctrine of a commemorative sacrifice in the Lord's Supper.

'2. Because she likewise propounds the naked doctrine of Transubstantiation, in language absolutely the same as that employed in the canon of the Romish Mass.'—*Reasons for Withdrawing*, p. 12.

And these propositions he undertook in plain terms to prove.
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The intrinsic absurdity, however, of making the latter proposition at all, or of converting the former into a charge, appears to have occurred to some judicious friend; and in his next publication, which bears a date no later than November, 1842, Mr. Drummond methodises his assault on the Scottish communion office, and seeks to mend his ground by changing his allegations into the two following ones:—first, that it teaches a ‘commemorative material sacrifice;’ and, secondly, that it teaches, not indeed the doctrine, but a doctrine, of transubstantiation—(*The Scott. Commun. Office examined*, pp. 3, 4).

This after-thought of Mr. Drummond’s lighted up the ‘flame of religious discord in that unobtrusive and tranquil communion, of which he was the servant, and has since become the disturber. The remark which we have made above with respect to the freedom of other religious bodies in Scotland from foreign influences, was pre-eminently true of the Episcopal Church. Neither the local nearness of the fierce conflict of non-intrusion raging in her ears, nor her spiritual affinity with the religion of England, had then made her a partaker in the troubles that prevailed north and south of the border respectively. As to the first indeed, a quarrel in which benefices were concerned, her exemption is less remarkable, inasmuch as she has no livings, but only *starvings*—the usual income of her bishoprics is 160*l. per annum*, while an endowed pastoral charge of any kind is only to be met with in very few instances, and upon the most limited scale. But as respects the second, when it is recollected that during the years 1841 and 1842 the controversy of the Ninetieth Tract, with all its painful accompaniments, raged in England, our readers will, we think, agree with us in considering it a circumstance most honourable to the Scottish Episcopal Communion, that for its members, whether clerical or lay, that controversy appeared to have no existence. Neither Tracts nor Charges reverberated within its peaceful borders. Her clergy and congregations, built up in their own indigenous theology, pursued their placid way: they knew nothing of tendencies or of provocatives to Romanism; they had no quarrels, either dogmatical or rubrical; their spirit had been fraternal, and their doctrine uniform.

It was reservé for an English clergyman to carry the firebrand among them; that clergyman was Mr. Drummond, and what he attacked was not any writer or any combination of writers, any class or party, but the authorized and established Communion Office of the Church, of which he had, some fortnight or month before, been the solemnly pledged minister. His course—honest, we doubt not, but most wild and most anarchical—found imitators. Sir William Dunbar, in Aberdeen, a second English clergyman; Mr.

Mr. Miles, in Glasgow, a third English clergyman; and some two or three more, we believe, have followed his example, and have carried with them a greater or less number of the members of the Church who had been under their pastoral charge. The details of these various cases, and of such judicial proceedings as have been taken by the synods or by the bishops against these seceders, strictly, we apprehend, within the spiritual province, in vindication of order, are before us in a multitude of pamphlets; among which we recommend 'The recent Schisms,' published in London, by a nameless author, as containing a full, able, and learned exposition of the general merits. On the part of these unruly clergy, the predominating notions appear to be objection to the enforcement of any penal discipline, and to the Communion Office, which they had all recognised, by their submission to the canons, as of primary authority in that Church. In point of fact, the real principle upon which they are acting, though most probably, as is usual in such cases, without any distinct consciousness on their own part, is that of the most uncontrolled and licentious theory of private judgment: that disposition which likes very well the name of law and its imposing proprieties, so long as it does not entail any act of self-sacrificing obedience, any surrender of one jot or hair's breadth of individual persuasion; a disposition not the less but the more subtle and dangerous because it commends itself to our own minds with a colour of divine authority imparted to it by our own resolute prepossessions; or, in the very remarkable language of Mr. Drummond, because its dictates come to us as the dictates of 'that blessed spirit whose glorious office it is to stamp infallibility on the directions of Scripture to those who seek them in sincerity and truth.' And these parties still profess, and doubtless believe themselves, to act as regular ministers of the Church of England. From the Episcopal Communion of Scotland, which was a living organised body in the place of their own habitation, and which therefore they could feel, they retired into the Church of England, which has and can have no existence in Scotland, which has no arm to guide nor law to correct them, which therefore they cannot feel, and to which they can pay a cheap and imaginary obedience.

There are two pleas by which these mistaken persons have sought to vindicate their thoroughly schismatical position. The one is, that, although they have renounced the episcopal authority in Scotland, they continue to be clergymen of the Church of England, acting under her laws and discipline. It is needless to verify this statement by citations; the publications in defence are full of them. The other plea is, that they have seceded on account of doctrines in the Scottish communion office either actually

Romish

Romish or so near akin to it as to fall under the censure of the English Church; and thus to be at variance with their obligations to her. Of each of these pleas we shall, though very briefly, undertake the examination.

Mr. Drummond, in his 'Sketch,' and the managers of St. Paul's Chapel, Aberdeen, in their letter to the Bishop of London, draw their historical evidence in support of the former proposition from the history of the last century. They succeed in showing that, in the years 1746 and 1748, penal laws of a stringent character were passed, which may be said to have extinguished the public ordinances of the Scottish Episcopal Communion, but which left untouched any ministrations performed in Scotland by an English or an Irish clergyman. Then they contend that the toleration which was granted in 1792 did no more than replace the proscribed body in a condition of equality with other religious communities, separated like itself from the Established Church—(indeed it did rather less),—and invested it with no authority to claim the allegiance of those southern clergy who had been exercising their pastoral charge in Scotland under the previous state of things. And, strange to say, Mr. Drummond, an ordained priest of the Church, appears to imagine that these facts of political history vindicate his present ecclesiastical position; that the relative rights and duties, even of free and unestablished forms of religion, are to be sought nowhere except in the Statutes at large—the Canonical Scriptures of Church government and discipline! From an Erastianism so grovelling and reckless, the very neighbourhood of the Free Kirk should have preserved him.

But let us do justice to the lay managers of the Aberdeen congregation.* They appear to rely in great part upon several testimonials between the years 1738 and 1792, from which it appears that certain prelates of the English Church then recognised congregations in Scotland not connected with the bishops of the country, and entered into their concerns. Let us give to these facts the utmost force and meaning which can be asked for them, and assume that they implied a judgment of the English Church in favour of those congregations, and her communion with them. Nothing can be more easy of explanation, and by considerations which the slightest regard to Scottish history could not have failed, one might suppose, to suggest.

First, as to the legal proscription of Scottish Episcopacy—it is at once accounted for by the dogged adherence of the body to the Stuarts, and by its participation in the rebellions of 1715 and 1745. As to the ecclesiastical recognition of independent Angli-

* Letter to the Bishop of London, pp. 15-18.

can clergy in Scotland—we explain it in the simplest manner; just as the like recognition in the case of Rome or Paris is explained—namely, upon the ground that the Church of the country is not in communion with our own. At the time in question the Scottish bishops were not in communion with those of England. The English Nonjuring body still subsisted in voluntary separation; and with our *petite église* thus formed in the South, the northern Episcopate, of which the members had quitted their legal position upon the very same ground, was in intimate connexion,—even so that consecrations took place, in which the bishops of the two bodies jointly officiated. If, then, the Nonjurors of England and the Episcopal Communion of Scotland were ecclesiastically one, and if the former body justified its very existence only by denunciation of the Church as established by law, it is plain that the Church of England could have no regular relations with the latter, and that she might intelligibly enough consider herself under the obligation to make any provisional arrangements that the case would admit for the care of such Episcopalians in Scotland as had been brought into relations with her; quite apart from the question whether she might or might not have found another reason for the same course in the forcible suppression by law, from 1746 to 1792, of all regular ministrations in the Episcopal Communion of the country, and thus have deemed it an office of charity to provide the nearest substitute for the flocks that the iron hand of power would permit.

But how stands the case now? In 1789 died Charles Edward, and the graceful monument of Canova to his memory and that of his brother is likewise the cenotaph of the once celebrated Nonjuring schism. Whether logically or not, yet unanimously, the Jacobites carried over their warm allegiance to the House of Brunswick; the nonjuring community as such was extinct, though individuals belonging to it and even its last bishop still survived.* By virtue of that extinction the Scottish Episcopate was relieved from all that had placed it in an attitude of antagonism to that of England. It had already founded the Church of the United States in the person of Bishop Seabury; the Anglican prelates associated themselves with that proceeding by the consecration of Bishops White and Prevoost; from them, together with Bishop Seabury, sprang the whole of an extended and active communion in the United States, now numbering twenty-six bishops and above twelve hundred clergy. In the year 1792, by the zealous intervention of the English Episcopate, the penal laws affecting the body in Scotland were repealed. The Liturgy was

* Lathbury's History of the Nonjurors.

already used in Scotland: about the commencement of the present century subscription to the Thirty-nine Articles was adopted, and it is now required from every clergyman. Lastly, the full communion of the two Churches obtained, in its principle, an entire civil recognition by an Act passed in 1840, which permits the bishops and priests of Scotland to officiate in England with a renewable licence from the diocesan; and it is to be recollected that, according to our own law, no strange clergyman, even of English orders, is entitled to officiate except under the bishop's permission. This Act, we believe, was passed with the unanimous concurrence of all parties in Parliament; and Bishop Russell, in a note to his Charge, has paid a graceful tribute to the interest which Lord Melbourne and his colleagues, then in power, manifested in its progress.

The sum of all this is,—there was a time when Scottish Episcopacy was legally proscribed by Parliament, and was ecclesiastically in opposition to the English Church; and at that time English clergymen, with the sanction of some English bishops, took charge of congregations in Scotland. But what has this to do with the position of an independent clergy now, when the law of the land, as proposed by the Primate himself and unanimously approved, which formerly proscribed one of the Churches, recognises and regulates the communion between both? It is true, indeed, that clergy of Scottish orders cannot hold benefices among us; and seeing that a Roman Catholic priest on his conformity, or a Dissenter on his ordination, may hold them, we shall leave to others more ingenious than ourselves the vindication of this restraint. All that need now be said is, it does not impugn the spiritual relation of the two bodies in the one case more than it implies such a relation in the other. Is this denied? If it be, we are not in communion with our own colonial Churches; for clergy of colonial orders are under the very same disqualification.

Now this consideration, of the communion between the two Churches as such, is not only material to the point at issue—it is decisive. If it be true that English clergymen, placed out of England, may properly renounce the authority of the local Church, whatever be its relation to the Church of England, and may, in vulgar phrase, set up for themselves, it must and can only be for one of these three reasons—either that the Church of England constitutes the whole Catholic Church and has an universal mission; or that we do not really, but only in sheer falsehood and collusion, recognise any Church beyond our own shores and border, thus realising the sarcasm of Voltaire, *que Dieu s'est incarné pour les Anglais*; or, lastly, upon principles of utter anarchy such as this, that the individual may deliberately disobey the laws
of

of the body to which he belongs, and still continue to bear its ensigns and enjoy its privileges.

But now we are met by Mr. Drummond,* who apprises us that he was at pains to assure himself that he was acting consistently with his position as a clergyman of the Church of England, and that he had obtained that assurance from the highest legal authorities. Well, we have always understood that a great licence is permitted in the anonymous description of any barrister or advocate who has signed an opinion upon a case for the behoof of the describing party. But what now is the utmost conceivable extent to which any opinion in this case can have gone? Suppose Mr. Drummond may have been told that he would not, in consequence of his Scottish proceedings, lose his qualification for a benefice in England: he may yet learn that there are more opinions than one upon that subject; but, setting aside any consideration of the kind, how far can such a proposition go towards satisfying a conscience once, as we have seen, so tender? Is this the first or only case in which the laws of England, or, indeed, of any country, have been found insufficient to correct excesses, to chastise even the most flagrant crimes, committed beyond her borders? Nay, even within that narrow range, let us remember those most miserable cases of clerical delinquency in England which have lately scandalised the community. All but one, we believe, of those unhappy men still continue in legal possession of their benefices. Of them also, in one sense, it is true that their continued possession 'is strictly consistent with the rules of the Church of England.'† Of course, we do not mean to imply that Mr. Drummond is, as these parties must be, conscious of his offence; but to expose the singular absurdity of the assumption, that everything which cannot be punished in law is therefore warrantable in conscience.

So much, then, for the historical argument upon the ecclesiastical position of priests of English orders in Scotland not under Episcopal jurisdiction; and as hostility to the Church of Rome has in this instance been pleaded in defence of anarchical conduct, we will venture to declare that no man can be so sure, no man so efficacious a friend to the Church of Rome among us as he who shall prove, whether by reasoning or by facts, that we of the English Church have no practical conception, in matters of religion, of law as a curb upon private will—much less any principles of order and cohesion extending beyond the sphere of our own country; consequently that we are by our own act, our own inward disposition,

* Reasons, p. 10. Statement of Mr. Drummond's Friends, p. 12

† Statement by the Committee of Mr. Drummond's Friends, p. 12

cut off not only from the enjoyment, but from the possibility of communion with any other portion of Christendom, inasmuch as that communion essentially requires and presupposes that each of the parties entering into it shall, in deed as well as in name, support and cherish the authority of the other. And, indeed, the rulers of the Church of England have been forward in the recognition of this principle, so far as we have the means of knowing their judgment. From the Archbishop of Canterbury, the Bishop of London, and the Bishop of Exeter, letters have appeared in the public journals, addressed to bishops or clergymen of the Episcopal Communion in Scotland, and declaring in the strongest terms the sisterhood of the two Churches. Their letters are substantially identical in their purport. His Grace the Primate writes as follows :—

‘The Episcopal Church in Scotland is in communion with the United Church of England and Ireland, through the medium of her Bishops. . . .

‘Of congregations in Scotland not acknowledging the spiritual jurisdiction of the Bishop in whose diocese the chapels are situate, yet calling themselves Episcopalian, we know nothing. In order to prove their right to this designation they should be able to show what Bishop in England has authority, by law or by custom, to regulate their worship, and to direct or control their ministers in respect of discipline or doctrine.

‘In default of such proof they cannot be considered as Episcopalian, though the service of their chapels be performed by clergymen who have been regularly ordained by a Bishop.’*

The Bishop of London, in one of several letters to the same effect, writes :—

‘My opinion as to the obligation which binds an English clergyman desirous of officiating in Scotland to seek for authority to do so at the hands of the Bishop within whose diocese he is to officiate, and to pay him canonical obedience, has long been made known in that country. I retain that opinion unchanged.’†

The Bishop of Exeter declares the notion of a connexion between the seceding chapels and the Church of England to be ‘monstrous.’‡ And such, so far as they have transpired, are the uniform sentiments of the prelacy of England and Ireland; if we except a letter from the Bishop of Cashel,§ which has recently appeared in some of the public journals, and with regard to which the circumstance that it is countervailed by so overwhelming a

* Letter to Rev. A. Ewing, Aug. 19, 1845, from the ‘English Churchman,’ Sept. 4, 1845.

† Letter to the Bishop of Glasgow, Nov. 21, 1844, in the Bishop’s ‘Reply to certain Statements by Mr. Miles.’

‡ Letter to Mr. Ewing, Aug. 10, 1845, from the ‘English Churchman,’ Sept. 4, 1845.

§ Edinburgh Evening Post, Nov. 5.

weight of authority, combined with the respect we owe to the position of the writer, induces us to maintain a total silence.

But besides history, and besides authority, there is still the tribunal of common sense before which the new seceders must be contented to appear. Now let us compare their professions with the facts of their position. 'We continue to be Episcopalians.' But you have no bishop. 'We adhere to the laws of the Church of England.' Well: one of them is, that those only may minister who are called by persons having authority for that purpose:* and you are called by no man whatever. 'But we are ordained.' Yes, you are; 'to preach the word of God, and to minister the Holy Sacraments—in the congregation where thou ~~shall be~~ lawfully appointed thereto.'† 'But we use the Liturgy.' So do Lady Huntingdon's ministers; but the cowl does not make the monk, so the Liturgy does not make the Church. Again, suppose you doubt its meaning, who construes it for you? Suppose you alter it, who corrects you? Suppose you abolish it, who punishes you? 'We will not abolish it.' But the question is as to law, not will. Law may be known by all; your will, it is plain from what has already passed, even you do not know. Again, suppose the minister and the congregation differ upon doctrine, who decides between you? Who consecrates your churches? Who confirms your children? The Church is perpetual; who preceded you, and who is to succeed you? Who forms the link and centre of union among your scattered atoms? No one: and are you then Episcopalians or Independents? 'But all this is true of English congregations on the Continent.' By no means. They have the universal and understood, even when tacit, sanction of our bishops. They exist in a state of things precisely the opposite of that in Scotland; in lands of tongue and usage wholly foreign; in the absence, and not in the presence, of a Church holding full communion with our own; in the territory of bishops, not who invite, but who generally refuse our fellowship;—they exist for the members of their own Church, not for the purposes of aggression and defiance; and yet even their existence is deemed so defective, that by great efforts, and by means more or less anomalous, bishops have been provided for them in three cases—those of Gibraltar, of Bishop Alexander in Jerusalem, and of Bishop Luscombe in Paris—and the time is anxiously expected when difficulties of detail and of arrangement shall be so far overcome as to place all these bodies under regular and continuous superintendence. But do the Scottish seceders for a moment dream that if Englishmen were to establish independent religious congregations in the United

* Art. xxiii.

† Office for Ordaining of Priests.

States, they would be acknowledged as legitimate churches by the Episcopate of England? And yet this, and stronger still than this, is the case of Scotland.

But we turn to the second^o objection: that the schism is to be justified on the ground of the existence and use of the Scottish Communion Office. Not, we trust, simply because in a single rite,* the Episcopal Communion of Scotland, which still, be it remembered, represents the Church of a nation, and of a nation distinguished for the tenacity of its local and national attachments, speaks her own language as well as ours; we say as well as ours, for in her liberal consideration of the close union of the two countries, and of the English habits and associations of some among her communicants, the Scots Episcopal Church permits the free use of either office according to the circumstances of each congregation, imposes the same restraints in either case upon the substitution of the one for the other, and only claims for her own the very innocent distinctions, that it shall be employed at the consecrations of bishops, and at the opening of general synods. The American Church gives no such terms, nor have we a right to ask them. Now in Roman Catholic France, Count Montalembert informs us there are forty various forms of the Liturgy. In Italy the Office of Saint Ambrose is still celebrated at Milan; in Rome itself the Rite of the United Greeks is allowed to be performed, and may be witnessed in the Chapel of the Propaganda. Certainly Englishmen have acquired in many quarters an evil repute for the narrow insularity of their notions and their intolerance of the usages of other countries. But we are not, surely, so far gone in this career, as to insist that an independent Church shall surrender the one last badge of its independence in order that it may enjoy the honour of a bow and smile from us—and we therefore beg the reader to dismiss from his mind any such false and childish impression as that the Churches are not in the very fullest communion because their rite is not in every single particular the same.

Yet if it be true that the doctrine of the Scottish Office is substantially different from our own, the case assumes a very different aspect. To this question accordingly we now turn, and we only regret the difficulty which we must experience in treating a subject of such extreme solemnity, not only within the narrowest limits, but likewise in pages which must be read for the most part in a temper less collected and devout than such a theme imperatively demands.

We have already extracted from a work of the parent of the

* There are, we believe, some other variations of rite, but so small or of such limited use that they do not substantially qualify this statement.

schism the two doctrinal accusations which he has advanced.* He has enhanced them by the charge that the present Scottish office has 'approximated more nearly to Rome' than either the Service Book of 1637 or the first Prayer Book of Edward VI.

Divinity, in the hands of passionate men, has ever been the fertile mother of Jlogomachies; to a greater degree probably than any lower science, in proportion to its hold upon the universal affections of mankind, and therewith its liability to be clouded by their passions. We are no adepts in the conduct of such disputes; we know not what heinous enormity may have been or may yet be present to the imagination of Mr. Drummond; but he perhaps may have read those words of St. Paul used in reference to the Holy Eucharist, 'Ye do show forth the Lord's death until he come:' and we are totally at a loss to conceive how the commemoration of a sacrifice, not by an arbitrary token, but by acts intrinsically resembling it, can be less than a commemorative sacrifice; how its commemoration through the specific means of material elements is other than a commemorative material sacrifice. Indeed, it is not the word *sacrifice* which has sounded the alarm; as it could hardly be with any who remember that the service of the English Church prays for the acceptance of a 'sacrifice of praise and thanksgiving' in the Eucharist, distinct from that 'reasonable, holy, and lively sacrifice' of 'ourselves, our souls and bodies,' which pertains to the idea of universal priesthood in the Christian Church. And for the comfort of the seceders let us remind them of the following circumstance. Courayer wrote very learnedly to show, that the Church of England held a representative (something more than a commemorative) sacrifice, and that this satisfied essentially the definitions of the Church of Rome; and for this latter argument he was not only censured in France, but also condemned by the Pope.

But the Scottish Communion Office also teaches a doctrine of transubstantiation. Never before did we hear that there subsisted more than one. Of various explanations of that one we have heard, but Mr. Drummond gives us no clue to his meaning, and, as we are persuaded, for a good reason: because he had none to give. Strange to say,† a main support of his charge he finds in the circumstance that the meaning of the word 'be' is doubtful, but the meaning of the word 'become' is 'precise, definite, and unambiguous.' For our parts we should have thought that the ancient symbol 'I AM' might have suggested to this writer a different idea: nor can we conceive how, if the idea of entity be obscure, that of genesis can be perspicuous, inasmuch as what-

* Scottish Communion Office Examined, p. 9.

† Ib., p. 23.

ever a created thing can possibly *be*, that it must necessarily have *come to be*, which we hope he will grant is pretty nearly the same thing as to have *become*. But leaving the argument and looking to the charge it is brought to support, we must allege that the Scottish Communion Office is actually farther from the Roman, though nearer the primitive sense and structure, in its central point, than any one of the Liturgies with which it has been compared, namely those of 1549, 1552, 1637, and 1662; and, strange to add, that of all these the existing English Liturgy is the nearest to that of Rome. For the recital or narrative, retained in our prayer of consecration, is held by the Church of Rome to be the exclusive means whereby the elements assume their mystical character; and a writer in this controversy* quotes a pithy passage to this effect from Cardinal Bona de reb. Liturg. II. 13. 4, where he mentions, '*recentioris Genevæ pessimum ac detestandum errorem, consecrationem scilicet non fieri verbis in personâ Christi a sacerdote prolatis, sed precatione ejusdem Sacerdotis, postea orantis et dicentis, fac hunc panem pretiosum Corpus Christi tui.*' But in the Scottish Office the invocation of the Holy Ghost, and the prayer for the spiritual conversion of the sacred elements, follow after this recital, and thereby directly contradict the Roman doctrine, as they involve the position that something more than the recital, instead of being profane, is either necessary or at least desirable. Consequently, as Bishop Russell of Glasgow has observed with much acuteness, while a person holding the Roman Catholic tenet in all its rigour 'might receive the sacrament according to the English form, he could not possibly receive it according to the Scottish.*' And we are also reminded† that Bishop Jolly, one of the most eminent in sanctity and learning among Scottish bishops, has upon this very ground claimed for the Scottish Office the praise, that it erects an insuperable bar against a misconstruction of our Saviour's words by the Church of Rome. No doubt it is true that the arrangement and the language of the Scottish Office are more conformable to the primitive Liturgies in this particular than those of our own; but we really thought that the restoration of primitive, as distinguished from Roman doctrine, had been the very watchword of the English Reformation. Is this an honest and sincere profession, or is it (we are almost ashamed to ask) a convenient plea for our defence from the assaults of the Church of Rome, to be treated with all honour in our conflicts against her, but in our dealings with one another to be discarded and disgraced?

* Charge, p. 35.

† Recent Schisms, p. 26; Jolly's Christian Sacrifice in the Eucharist, Preface, p. vi.

Why should any man hesitate to grant to the Scottish Communion Office its due meed of praise for its closer adherence in some particulars to the venerable models of the early Church, even though he feels, as it is ours to feel, the power of the familiar and endearing associations connected with the English one, though he is resolute and convinced upon the essential identity of the two, and though he regards them *pari pietatis affectu*, or at least with a sentiment if differing in degree, yet the same in kind, as compounded of approval, reverence, and love?

But now, having reversed the charge of a Romish character, we will proceed to show, in the words of the moderate and learned Bishop of Glasgow, what testimonials of commendation this Eucharistic Office of Scotland, or the first Book of Edward VI., which nearly corresponds with it as to the particulars now in question, has received from divines of the English Church, upon whom the breath of accusation never has been breathed.

‘I have already suggested that the Eucharistic forms adopted by the Scottish Episcopalians have received the approbation of many learned divines in England. Though Bishop Horsley’s opinion has been so frequently quoted that it is familiar to every one, I cannot deny myself the satisfaction of repeating it in your hearing:—“I think the Scotch Office more conformable to the primitive models, and, in my private judgment, more edifying, than that which we now use; insomuch that were I at liberty to follow my private judgment, I would myself use the Scottish Office in preference. The alterations which were made in the Communion Office, as it stood in the first Book of Edward VI., to humour the Calvinists, were in my opinion much for the worse; nevertheless, I think our present Office is very good: our form of consecration of the elements is sufficient; I mean that the elements *are consecrated* by it, and made the body and blood of Christ, in the sense in which our Lord himself said, the bread and wine were His body and blood.”

‘Sensible of the apparent defect in the present English Office, the pious Bishop Wilson, whose praise is in every Church, in his “Short Introduction to the Lord’s Supper,” directed his readers, immediately after the prayer of consecration, to “*say secretly*—Send down Thy spirit and blessing upon this means of grace and salvation, which Thou thyself, O Jesus, hast ordained. Most merciful God, the Father of our Lord Jesus Christ, look graciously upon the gifts now lying before Thee, and send down Thy Holy Spirit on this sacrifice, that He may make this bread and wine the Body and Blood of Thy Christ, that all who partake of them may be confirmed in godliness, may receive remission of their sins, and obtain everlasting life.”

‘Archdeacon Daubeney admitted that the Episcopal Church of Scotland, “by forming her Communion Service upon the model of that first set forth for the use of the Church of England, keeps closer to the

the original pattern of the primitive Church than the Church of England herself now does."

'Bishop Fleetwood, in his "Reasonable Communicant," observes that "the Church of Christ did heretofore pray that the Holy Spirit of God coming down on the creatures of bread and wine might make them the Body and Blood of Christ."

'In reference to the same subject, Dr. Waterland remarks that, "in the Liturgy of 1549 [the first of Edward] there was a solemn address to God for His propitious favour (a very ancient, eminent, and solemn part of the Communion Service) in these words: 'We, Thy humble servants, do celebrate and make here, before Thy Divine Majesty, with these Thy holy gifts, the memorial which Thy Son hath willed us to make: having in remembrance His blessed Passion and precious Death, His mighty Resurrection, and glorious Ascension.' Why this part," he adds, "was struck out in the Review, I know not; unless it was owing to some scruple (which, however, was needless) about making the memorial before God, which at that time might appear to give some umbrage to the Popish sacrifice among such as knew not how to distinguish. However that were, we have still the sum and substance of the primitive memorial remaining in our present office; not all in one place, but interspersed here and there in the exhortations and prayers."

'One of the latest historians of the English Church, the present Bishop of Man, when adverting to the alterations introduced into the Communion Office of the second Liturgy of Edward, remarks, "It is difficult to understand why the Invocation of the Second and Third Persons in the Trinity was left out: it has been wisely restored in the American Prayer-Book."'*

To these we must add the following testimonial from Archbishop Sharp of York, and especially because of the distinguished part which he took before the Revolution of 1688, in resisting the Romish party, of his known moderation, and of the fact that he was preferred under William III., probably on account of those services.

'Though he admired the Communion Office as it now stands, yet in his own private judgment he preferred that in King Edward's first Service Book before it, as a more proper office for the celebration of those mysteries.' †

Again: Wheatley, ‡ our most popular ritualist, is of the same mind. And these judgments, it is to be observed, are not extracted from among others of a different bearing, but they are the spontaneous and uncontradicted testimonies of English divines, in favour either of the Scottish Office, *eo nomine*, and as it stands,

* Charge of the Bishop of Glasgow, delivered in May, 1845, p. 33.

† Life, i. 355.

‡ P. 25, 289, et seq. Ed. Oxf. 1839.

or of its leading characteristics. It is vain to talk of the advantage of bringing the two Churches to a perfect similarity by the extinction of the Office of the weaker: first, because there is a positive value in the genuine forms of the expression of national and local character—they are all homes of the affections; secondly, because the thing cannot be done. We may ape the manners and adopt the speech of Frenchmen: the result will be not a duplicate nor even a copy, but a mean and flat caricature. The English Church has much that her Scottish sister cannot have: her unbroken episcopal succession, her ancient canon law, her high standing as an estate of the realm; her millions of acres and of tithes, her millions upon millions of Christian souls. Let it not be grudged then to the Church in Scotland, if she cling with fondness to an Office so honoured by our own divines, so adapted by its form to exemplify the blessed truth of our relationship to the Church at large, and to remind us of the law of love. Let no pedantic love of uniformity, none of that inclination to domineer, in which manifestly we are to recognise one of our besetting sins, urge upon the Scottish bishops the surrender of this most beautiful and affecting service. If, as seems to be God's will, their Church is to continue poor, let her hold her poverty in freedom; and cherish in her breast the one ewe lamb of her native pastures, unsolicited to barter it for dignity or gold. Indeed it is not for its intrinsic merits, nor for its nationality, alone, that it should be revered; but also because it is precious to the poor Episcopalians of Scotland; to those who have followed the fortunes of their Church, not, we grant, in revolt and bloodshed, but in silence, obscurity and contempt, throughout the dreary period of the penal laws: and it is now high time that in our ecclesiastical arrangements we should begin to have some more show of regard to those 'poor of this world' who are especially the chosen of God, 'rich in faith and heirs of the kingdom which he hath promised to them that love Him:'* who, when once touched by religion, seem so much more easily than others to give the whole heart to God; and who are therefore so well qualified, by the spiritual tact of the inward man, to appreciate the very forms of the ordinance appointed to be the special medium of their union with their Lord.

But although in the manner we have described schism has been introduced among the Episcopalian Protestants of Scotland, their religious condition on the whole presents a promising and a pleasing picture. The eulogium of the devout Bishop Horne, who (in the days too when their own Communion Office held an un-

* St. James, ii. 5.

divided empire) indicated their Church as that with which, among existing Christian societies, an Apostle returning upon earth might most joyfully communicate, has still an intelligible application to their government and laws, and to the remarkable simplicity, purity, and patient firmness of that peculiar type of Christian character which seems to belong to them. The ravages of schism have been more than repaired, under the Divine grace, by the energy of faith and love. Their churches and congregations grow. With them, as in England, the standard of character and practice rises. They are now engaged in erecting a central institution of education, both clerical and lay, on the banks of the Almond, in the county of Perth, with the active and munificent support of the three Primates of the Churches of England and Ireland, as well as of many other distinguished prelates.* They have at their command, if a small portion of the goods and therefore of the temptations of this world, an open and unencumbered position, with every advantage for the attainment of spiritual excellence. The fact of schism is to be deplored for the sake of its victims; but the question may be raised whether the condition of the Church they have left is not more healthy after the amputation than while she bore about with her such materials of convulsion and disorder. Only let us hope that, among the forms of her increased and increasing activity, will be found an ever-growing earnestness in prayer for those whom she has lost, and an unwearying toil to win them back, not only to an external but to a true obedience, by gentleness, and by those overpowering demonstrations which sanctity of life can bring in aid of authority and of argument; that so, if it be the Divine will, we may live to see removed from the face of Christendom one at least among these many feuds which are at once the shame of religion, the stumbling-block of infirmity, and the rank food of unbelief.

* The wardenship of this important institution has just been conferred, as is understood, by the Scottish Bishops, upon the Rev. Robert Scott, a very eminent scholar of Shrewsbury and Oxford, and a learned and exemplary parish priest of the west of England. This gentleman's share in the Oxford Greek-English Lexicon must have made his name familiar to most of our readers; but his professional publications have also been highly meritorious.

ART. X.—*Memoirs of the Reign of King George III.* By Horace Walpole, youngest son of Sir Robert Walpole, Earl of Orford. Now first published from the original MSS. Edited with Notes by Sir Denis Le Marchant, Bart. 4 vols. 8vo. London, 1845.

THESE Memoirs of the first ten years of George III. will add certainly not more, and we think less, to the reputation of Horace Walpole or to English history than those of the last ten years of George II. They have the same occasional merit and the same general and pervading faults. They contain many traces of his peculiar wit, and frequent touches of his graphic style—a few, and but a few, new facts and lights scattered through a very intricate mass of political intrigues—with an overbalancing proportion of prejudice, partiality, misrepresentation, and inconsistency—trivial and variable, but always rancorous, resentments—and a general and constitutional proclivity to slander and calumny. These, indeed, may be said to be the essential characteristics of his admired Letters; but the gossip and scandal, which in a familiar letter are not merely tolerated, but, as it were, expected and welcomed, are grievous offences against good taste as well as good faith when it is attempted to array them in the grave and responsible character of history. Many, otherwise tolerably strict moralists, will not scruple to enliven a conversation or a correspondence with circumstances which the loosest conscience would not venture to repeat in judicial evidence. So it is that although many, most indeed, of the objectionable topics of his two sets of Memoirs, had been already produced in his ‘Letters,’ ‘Reminiscences,’ and ‘Walpoliana,’ they have not there created the same disgust or indignation, and, we will add, tedium and nausea, which they do in their inspissated form; and there can be no doubt that Walpole’s literary as well as moral character would have stood higher if these more solemn chronicles of libel and malignity had never been published.

We considered it our duty to trace, in our account of the first set of Memoirs, the real motive of Walpole’s personal animosity to the leading political men of the period; and again in our recent review of the second *livraison* of the ‘Letters to Mann,’ the same task was forced upon us by the strange blunder of the editor of that publication, who was so blind or so indiscreet as to seem to question the justice of our opinion, even while he or she* reproduced the very documents under Walpole’s own hand which

* It seems to be generally understood that the ‘Advertisement’ we allude to was not in fact written by the Editor, but supplied to him by Miss Berry, whose amiable partiality

which established the proof of corrupt jobbing and mercenary slander against him even more flagrantly than we had originally stated it.

If the peculiar temper and personal bias of the writer were important ingredients in our consideration of the earlier Memoirs, they are much more so in the present work, which comes closer to our own time, and deals with persons and events better known and, on many accounts, more interesting. Referring, therefore, to our former Numbers, and particularly to that for October, 1844, for the extraordinary details of the influences under which Walpole acted and wrote, during the period comprised in the first 'Memoirs,' we shall here repeat so much of the general facts as may refresh our reader's memory, and we shall afterwards produce some remarkable elucidations and confirmations of our opinions afforded by the work that we are about to examine.

There can be no doubt that Walpole's wit, various and abundant as it was, had always an ill-natured, selfish, and cynical turn; and under any circumstances we might have expected that Memoirs from his pen would have been tinged by the same greedy appetite for scandal and the same unscrupulous propensity to satire which are the characteristics of his letters; but it required additional and deeper influences to chain this lively and mercurial spirit to the daily labour of a chronicler, and to evolve a disregard of truth, a perversity of judgment, and a rancour of feeling so intense, so gloomy, and we must add so dull, as these Memoirs exhibit. These influences were principally two—one pecuniary and accidental, and the other physical and constitutional. Walpole's sole income arose out of no less than *five* sinecure places or shares of places conferred on him by Sir Robert—amounting, he admits, when he first received them, to about 3000*l.* a-year. They afterwards more than doubled in value; but we at present take Walpole's own earliest estimate. Of this sum nearly one-half was derived from a *rider*, as it was called, of 1400*l.* on the patent office of *Collector of the Customs*, of which his elder brother Edward was the patentee, receiving only about 400*l.* a-year of the present profits, but having the reversion of the whole 1800*l.* if he should survive Horace. It would be useless to our present purpose to inquire why Sir Robert made this distribution of the income of the office; but the result was that Horace was

partialty (if the paper was indeed hers) must have obscured either her memory or her judgment as to the real and indisputable facts of the case. The writer (whoever that was) forgot or did not observe that the facts which Walpole himself confessed for a narrow and temporary object, were irrefragable evidence for the larger and more permanent purpose to which we have applied them with a force that we venture to assert defies rational contradiction.

thereby

thereby placed, as he himself tells us, in the 'precarious' and very unpleasant position of having so large a proportion of his income dependent on the life of a brother ten years older than himself. But there was also another more powerful though less prominent interest of the same nature constantly at work. Walpole, besides this precarious sinecure of 1400*l.* a-year, had another office which grew up, under a cloak of almost menial humility, to an enormous income. He was *Usher of the Exchequer*—

'and the duties of my office are to shut the gates of the Exchequer, and to furnish paper, pens, ink, wax, pencils, tape, penknives, scissors, parchment, and a great variety of other articles; to the Treasury, Exchequer, &c.'—*Appendix to Letters to Mann*, 1844, vol. iv. p. 330.

This office was performed by deputy, and produced a clear profit, as stated in 1780 by the Commissioners of accounts, of 4200*l.*—though Walpole himself had made a return of only 1800*l.*, and it was to defend this erroneous return of his emoluments that he drew up the statement which has led to elucidations of his literary character which its author never thought of.

Walpole says these profits were made on the articles supplied by him, and that the time of payment of his bills and of course some previous inspection of them

'depends on the good will and pleasure of the First Lord of the Treasury;—and yet, though a *mere tradesman* in that respect, I believe no man will ever accuse me of having paid court to any First Lord of the Treasury.'—*ib.* 331.

'We not only accuse, but shall convict him, on his own evidence, of having paid obsequious court to *every* First Lord in succession; he was in a constant fever of uneasy dependence on what he peevishly calls 'the First Lord's good will and pleasure,' and in a restless anxiety about the examination and discharge of these accounts, which, it appears from his correspondence with his deputy (*Works*, vol. ii. p. 381), were sometimes chargeable with gross abuse, and always liable to question.'

Such precariousness and annoyances attached to so large a portion of his income would have been a source of reasonable uneasiness to any man, and would have justified efforts to obtain a more secure position. The attempts he made we do not blame in themselves; but we blame, with some mixture of pity, the species of *monomania* under which Walpole, while pursuing this natural, but certainly interested object, was eternally protesting that 'disinterestedness was the passion of his life'—that he despised place and profit, and that it was his pride and glory to soar above all such selfish influences. We are satisfied that Walpole's anxiety about his offices, combining with the constitutional peculiarities
of

of his temper, became the *primum mobile* of all his misanthropical feelings, and led him especially to calumniate by every indirect means, under every false pretence, but with inveterate and indefatigable malignity, everybody whom he knew or fancied to have interfered with his incessant endeavours to place his income on a more permanent footing. This was clearly the first and chief motive of both sets of Memoirs; and we have little doubt that if the whole truth could be discovered, we should find that *all* his animosities were, in some way or other, connected with this great pecuniary stake, or perhaps now and then with some collateral interests of the same kind. Nothing but some such all-pervading infatuation could have blinded the keen sight and blunted the nice taste of such a man to the mass of inconsistency, contradiction, and, in fact, nonsense which his Memoirs present, and which on any other hypothesis must we suppose appear to every observant reader, as it does to us, quite inexplicable; but we may say as Pope did of another noble and eccentric wit—the Duke of Wharton—

‘This clue, once found, unravels all the rest;
The prospect clears, and *Walpole* stands confest.’

If it be said that his animosity against the public men of his long day is too universal to be attributed to a single motive, it may be answered that in the corrupt and factious times of which he wrote there were so many changes of administration that—following up, as we shall see he did, on every change, this the first and most important object of his whole life—there was perhaps no minister or ministry from whom he did not receive the affront of a refusal. How many attempts of this sort he may have made we know not—certainly not less than half a dozen; but it is by mere accident that we have been able to trace so many. Such intrigues, especially when they fail, and still more when the offended postulant takes refuge in *patriotism*, are generally carefully concealed by both parties—by the jobber for his own sake—by the Minister from motives of personal honour, official duty, or political expediency. Old Sir Robert Walpole is said, we think by Horace himself, to have declared that no one but a minister could fully know the turpitude of the human heart; and accordingly, except in a few rare cases of persons blinded by personal vanity or resentment, we have had scanty revelations of this sort—and we should never have known anything of the secret motives of Walpole's malignity but for that apology for his conduct which, with entirely other objects and a very different aim, he drew up in 1782, and which Mr. Berry, not, we are satisfied, seeing their real meaning or full extent, had the indiscretion—

for

for historical truth a fortunate indiscretion—to publish in the great quarto edition of Walpole's works, and which *somebody* had, as we have said, the still greater blindness of republishing, the other day, as if, instead of being the *pièce de conviction*, it had been an honourable excuse. In that paper we found the account of his strange manœuvres with Mr. Pelham, and were thence led to the details of his enormous sinecure income, and the influence which his expectations and his disappointments with respect to them had on his conduct and on his writings. In the *Memoirs* now before us this influence appears in additional and growing force, and indeed so mingles itself with every page that not only are we bound for the sake of historical truth to expose it, but we really do not think we could give a better general idea of the work than by following this clue. But in order to present a full view of the case, we must mention (very shortly) his first attempts with Mr. Pelham and the Duke of Newcastle, which were more fully detailed in our article on the first *Memoirs*.

In 1751, at the outset of Horace Walpole's political life, his first thought was to procure the *addition* of his own life to that of his brother in the *Customs'* place; and he reckoned confidently on the Pelhams—old friends of his father who were then in power, and of whom he himself was a zealous supporter—to make this change. The ministers, though willing to oblige him, were either reluctant or afraid to grant an *additional* life in so great a place; but they offered to *substitute* Horace for Edward, if the latter would consent. This Horace protests *he* most indignantly rejected; and it may be true, for he knew very well that Edward was not of a disposition to sacrifice gratuitously his present third of the place and the whole reversion.

Immediately on the failure of this negotiation, Horace, who had been up to that moment the obsequious servant of the Pelham Ministry, turned short round—and commenced those false and scandalous *Memoirs* of the last ten years of George II.—in which, while not merely concealing, but directly disclaiming, any personal motive, and assuming

‘a patriot's all-atoning name,’

he libels, with the most inveterate rancour, everybody whom we know, and many others whom we believe, to have had a share in his disappointment.

On Mr. Pelham's death the Duke of Newcastle became Minister, and we find that in 1755, there was some kind of negotiation through Mr. Fox for obtaining from the Duke a grant of the *Customs'* place for H. Walpole's life: that too failed—rejected, says Walpole, ‘because he would accept no favour from that

Duke,'—which is certainly untrue; for we find that when Newcastle, after a short interregnum, again returned to the Treasury in 1758, Walpole made two attempts, both very corrupt, to sell this place to the Duke or his nominee.* This also fails; and yet Walpole has the—may we not say—effrontery to declare in his first *Memoirs* that 'the Duke of Newcastle never gave him the most distant cause for dissatisfaction' (ii. 335).

Here open the new *Memoirs*, of which, as we have said, the most remarkable characteristics will be best developed by endeavouring to explain Walpole's statement of the motives of other men by what we know or have good reason to suspect of his own.

The most prominent feature that strikes us at the outset, and all through the work, is the large and very unfavourable share of Walpole's notice engrossed by Lord Bute. From the first pages of the first volume, to the very closing lines of the last, Lord Bute is the object of the most indefatigable malevolence. Everybody is ill-treated; most others, however, are dealt with as their names happen to occur in the course of the narrative; but Lord Bute, under the invidious title of '*The Favourite*,' and with all the odious imputations and insinuations attached to that name, is introduced on every occasion—those even in which he could by no possibility have had any concern—and with, in a majority of instances, the most flagrant falsehood. Our readers will remember that we expected something of this kind, but our worst expectations are exceeded. In our review of the last collection, of the *Letters to Mann*, we extracted two passages from Walpole's autobiographical '*Notes*,' one dated 18th August, 1766, stating that he then 'began the *Memoirs of the Reign of George III.*,' which, we added, were about to be published; the second, we said, 'looked trivial, but might turn out to be important,' viz.:—

'1761—16th July, wrote the "*Garland*," a poem on the King, and sent it to Lady Bute, but not in my own hand, nor with my name; nor did ever own it.'—*Letters to Mann*, vol. iv. p. 349.

and then we went on to say,—

'We know nothing of this piece, and should be glad if it were recovered. If, as may be presumed, it was a panegyric, it would afford a curious contrast with Walpole's subsequent rancour against George III. and Lord Bute. We really have a curiosity to compare the *Memoirs of George III.* in 1766 [of which we then knew no more than the name] with the "*Garland*" of 1761.'—*Quart. Rev.*, vol. lxxiv. p. 415.

We have not been yet able to discover the '*Garland*':—being, as Walpole tells us, anonymous, the copy sent to Lady Bute was probably lost or destroyed with the mass of fulsome trash with

* See Walpole's Works, vol. ii. p. 366; and Quarterly Review, vol. xxvii. p. 199.
which

which no doubt flatterers of less note, but not meaner or greedier than Walpole, overwhelmed the 'Favourite.' But as Walpole took the trouble of recording the composition, we dare say he also took care to preserve the original, which is probably amongst his papers. Walpole, it will be observed, states that he had sent it *anonymously*, meaning to imply that his flattery, since it was anonymous, must have been disinterested—a gross *non-sequitur*—for the temporary veil might be lifted whenever any merit was to be claimed. It was probably, like all Walpole's rhymes, so bad as to be wholly disregarded, and was therefore '*never owned*;' if it should be brought to light, we have little doubt that it will corroborate all our suspicions.

But we have evidence enough of Walpole's, time-serving duplicity, without the actual verses. They were written, the '*Notes*' say, on the 16th. July, 1761. On the 8th July the King declared in Council his intention to marry; it is clear then that the '*Garland*' transmitted to *Lady Bute* was a congratulatory poem on the intended marriage, written, we see, with all a courtier's haste, and with, we dare say, all a courtier's adulation. But in the *Memoirs* we find *under the same date* a sneering and sarcastic account of the intended marriage, in which it is represented as the device of a '*junto*'—the Princess Dowager and Lord Bute—to perpetuate their power over the King;—and this '*junto*,' being alarmed at some symptoms of the King's aversion to the match thus forced upon him, employ a tool to watch and interrupt His Majesty's conversations; and who do our readers think this tool was? No other than *Lady Bute*—Lady Bute, the very person whom Walpole had chosen as the most decorous and acceptable channel of his poetical congratulations on an auspicious union which he so soon after describes as the dark intrigue of an unprincipled *junto*. If a '*junto*' be unprincipled, what shall we say of him who applauds its intrigues? If a '*Favourite*' be so odious, what shall we say of one who descends to court him by such skulking flattery as we have seen; and, still more monstrous, boasts not only of his general high-mindedness towards all ministers, but that he '*had never bowed to the plenitude of Lord Bute's power*?' (*Mem.* ii. 5.) It is true; he had not bowed—he had crawled.

At length, however, we arrive at the explanation of all this virulent animosity. We know from Walpole himself (*Works*, vol. ii. p. 376), that very soon after the King's accession he attempted some *cajoleries* of his Majesty and Lord Bute on '*their love and patronage of the arts, and their countenance of genius*;' while in the *Memoirs*, *under the same date*, he sneers at the would-be '*Augustus*,' who stupidly falls asleep over the objects of

art put before him by an ignorant, tasteless, and illiterate 'Mæcenas' (vol. i. p. 48).

Let us now look for some explanation of this duplicity—this fulsome flattery exchanged for virulent abuse. Having no information but the scanty traces which Walpole inadvertently supplies, we cannot say whether, on Lord Bute's accession as First Lord of the Treasury, Walpole made any overtures to him to obtain an arrangement of his offices; but we do know that Walpole again addressed an adulatory letter to Lord Bute on his Majesty's and his Lordship's patronage of the arts, quite inconsistent with the contemporaneous tone of the *Memoirs* (*Works*, ii. 378); and we find soon after a short dry note (which seems to imply a previous correspondence on the subject), requesting Lord Bute to order the payment of his office bills, which had been, it seems, for some months delayed. We shall see hereafter that Walpole attributed this delay to Fox's enmity. It is, however, clear from the style of his note, that there was a coolness with Lord Bute also on this point; but be that as it may—Lord Bute, just before he resigned the Treasury, committed an offence which Walpole never forgot nor forgave.

'The place in the Custom-house held by my brother [Sir Edward], but the far greater share of which had been bequeathed to me by my father for my brother's life, was also granted in reversion to Jenkinson.* I was, I confess, much provoked at this grant, and took occasion of fomenting the ill-humour against the Favourite, who thus excluded me from the possibility of obtaining the continuance of that place to myself in case of my brother's death.'—*Mem.* i. 265.

He then affects to care little about it, and repeats a story, the falsehood of which he elsewhere reveals, of 'his having twice refused it; and then adds that he was on terms of 'great civility' with Lord Bute, and that his resentment towards him 'kept no deep root.' Alas! we have evidence that it rankled through the whole of Walpole's long life. He proceeds:—

'And I can with the utmost truth say that as I afterwards, though never connected with him, was on many occasions friendly to that great Favourite, so no word in these *Memoirs* to his prejudice has been dictated by a vindictive spirit.'—*ib.* 266.

And then, to show the absence of all vindictive spirit, he proceeds in the very same page to expatiate on the 'infinite ill he had occasioned to his country;' 'the meanness of his ability, and the poorness of his spirit, which place him below resentment;' and concludes with saying that this 'pusillanimous Favourite purchased' a scandalous peace. (*Ib.* 267.) Is this not insanity? Could

* Private Secretary to Lord Bute.—*Walpole.*

any man in his sober senses persuade himself that 'his resentment kept no deep root' when he in the very same page recorded this gross abuse and these unfounded libels on the man with whom he was living on civil, and even friendly terms? But it was not in the first burst of his monomaniacal fury merely that he recorded this bitter imputation—he did so to the very last—and during the whole four volumes insists and persists that the retirement of Lord Bute in 1763 was '*pretended*;' that he still continued *the Favourite*—a character in that case the more odious, because it would have been really criminal; that he governed the King in private in opposition to his constitutional advisers, and was the real cause of everything that, Walpole, in his insane spirit of faction, chooses to think a misfortune or a crime. We care nothing about Lord Bute any more than we do about Lord Chatham or Lord Orford—in truth much less—but we care a great deal about truth and justice, and we will not, as far as our exposure may reach, permit the mean and dirty spite of a disappointed jobber to sully the fountains of history.

But after we had laboured with indignation through these accumulated and protracted falsehoods—now known and admitted by every candid and well-informed person to be so—of the *post-official*, unconstitutional, and criminal influence of Lord Bute—the mainspring and chief topic of these *Memoirs*—we were astonished to find in the last volume a note of Walpole's, in which he overthrows by a stroke of his own pen the whole edifice he had been so many years building, and leads us to the very just but *here* surprising conclusion that there is not a syllable of truth in all that he has said on the chief and predominant topic of his four volumes.

In the year 1770 Mr. Burke published his 'Thoughts on the Present Discontents;' of the great merit of which we know (except the pamphlet itself) no greater proof than Walpole's long, peevish, and inconsistent criticism of it. Its faults in Walpole's eyes were manifold; it took, in spite of Burke's party feelings, a higher view of political duties than Walpole could understand, and spoke generous sentiments which he never could feel—but his chief objections are two—first it was 'calculated for no one end' but to exalt Lord Rockingham, and Lord Rockingham was first minister when Walpole was, as we shall see, *not* offered political place, and *was* refused a job;—but secondly—

'The most absurd part of all was Burke's discharging Lord Bute of all present influence [1770]—a fact not only *improbable*, but it was extremely *unwise* in a *political* light, for the book thus *removed from the people's attention an odious and ostensible object*.'—iv. 133.

And after thus admitting that Lord Bute's continued and secret influence

influence was only a *probability* (and the reasons with which he supports this probability are absolute nonsense), and confessing that the real object was to keep up an *odious* and *ostensible* imputation before the eyes of the *people*—after, we say, these admissions, he goes on treating with the most solemn malignity Lord Bute (who during a great part of the interval had been residing abroad, and had no more concern with the administration at home than with the court of Versailles) as the still predominant ‘Favourite,’ and actual dispenser of all favours and adviser of all measures;—but then comes the note to which we have alluded, and which, to use a homely metaphor, *kicks down the pail* he had been so long and assiduously filling:—

‘I have changed my opinion, I *confess*, various times, on the subject of Lord Bute’s favour with the King.’

Of which various changes of opinion, he it observed, these veracious *Memoirs* afford no trace; all is one black assumption of a despotic and disgraceful *favouritism*—though he goes on further to confess

‘that even before his *accession* the King was weary both of his mother and her favourite, and wanted to, and *did*, shake off much of that influence. After Lord Bute’s resignation his *credit declined still more*.’

And then, in a rambling, contradictory, and almost unintelligible style, he proceeds to state other *pros* and *cons*, concluding—if, indeed, anything that he ever produced in the way of reasoning can be called a conclusion—with an acquittal of Lord Bute and the substitution of another ‘odious and ostensible’ victim—Mr. Jenkinson—

‘If I have accounted rightly for so great a mystery, as whether Lord Bute had an ascendant or not from the time of his ceasing to be openly prime minister—[meaning that his final opinion was that no such influence existed]—I might be asked, who *then* had real influence with the King—for his subsequent ministers indubitably had, not?—I should answer readily, Jenkinson.’—iv. 134.

Jenkinson?—Oh yes! Mr. Jenkinson had obtained ‘*the reversion of the place in the Customs, thus excluding me from the possibility of the continuance of that place to myself*.’ And Mr. Jenkinson therefore was to replace Lord Bute as a scarecrow of faction. But when at length, after so much deliberation and so many fluctuations of opinion, Walpole professes to have arrived at this conclusion (which we all know *aliunde* to be the true one), that Lord Bute’s interference and influence ceased *bonâ fide* on his public resignation, does he make any amends or endeavour in any other way than by this confused and ambiguous note of 1770 to retract his error? Not at all;—he still persists in gratifying his posthumous vengeance for his own grievance by bequeathing to posterity

a series of imputations against Lord Bute and the King, which he knew, even before he had written one line of them, to be false; for, to crown all this, it seems quite certain that Walpole never from the first moment believed in this pretended influence, as—in addition to the hint above quoted that ‘the King, even before his accession, was weary of the “Favourite”’—we find Horace, in the third year of the reign, and before he had thought of the ‘Memoirs,’ writing on the 28th February, 1763, to Mr. Conway, whom he neither would nor could deceive:—

‘Indeed I think Mr. Fox’s power so well established that Lord Bute would find it more difficult to remove him than he did his predecessors, and may even feel the effects of the weight he had made over to him; for it is already obvious that Lord Bute’s *levée* is not the present path to fortune. Permanence is not the complexion of these times—a disastrous circumstance to the votaries of a court.’—*Letters*, iv. 255.

We may seem to have gone into more detail on this point than is necessary—for Lord Brougham, whose testimony is on every account of the highest value, must be admitted to have settled the question.* In his historical sketch of Lord North, he says—

‘It is no doubt a commonly received notion, and was at one time an article of belief among the popular party, that Lord Bute continued the King’s secret adviser after the termination of his short administration; but this is wholly without foundation. The King never had any kind of communication with him, directly or indirectly; nor did he ever see him but once, and the history of that occurrence suddenly puts the greater part of the stories to flight which are current upon this subject. . . . The assertion that the common reports are utterly void of all foundation, and that no communication whatever of any kind or upon any matter, public or private, ever took place between the parties, we make upon the most positive information, proceeding directly both from George III. and from Lord Bute.’—*Brougham’s Historical Sketches*, Knight’s edition, pp. 61, 62.

We, however, think it right to retain, as against Walpole, the more equivocal evidence that his own volumes afford.*

* Before we close the chapter of Lord Bute we must notice a serious error into which it seems to us that the Editor has fallen. Walpole says in his text, that ‘In his first council the King named his brother, the Duke of York, and Lord Bute, of the cabinet;’ on which the Editor observes, ‘This nomination was severely criticised in the publications of the day. It is treated by Mr. Adolphus as a simple nomination to the Privy Council, and is defended as such on the ground that the Groom of the Stole has always been constituted a Privy Councillor. This is a misconception. The empty honour of the council could be grudged by no one to a great officer of the household—the real grievance was his admission into the cabinet.’—i. 8. Now, we are satisfied that Mr. Adolphus is right, and that the misconception is on the part of the Editor. Walpole’s mention of the ‘cabinet’ is a mere slip of the pen for ‘council,’ as the Editor might have surmised from seeing that the Duke of York was named with Lord Bute, and every one knows that the Duke of York was not of the cabinet. It is also equally well known that the cabinet is not named by the King in council; and it is, we believe, indisputable that Lord Bute was not of the cabinet till some months later, when he became Secretary of State.

In 1762 Mr. Fox undertook the leadership of the House of Commons under Lord Bute: he had been an early friend of Walpole's, yet there are few characters worse treated in both sets of the *Memoirs*. Of the cause of this enmity (which seems to have been concealed with studious hypocrisy during Fox's life) we find some by no means complete, yet very characteristic traces in another of those indiscreet apologies by which Walpole—with the usual ill-luck of an over-cunning man telling an untrue story—in tinkering one hole seldom fails to make a worse:—

'I had soon after my appearance in the world lived in much intimacy* with Fox, and had warmly espoused his side when persecuted by the Duke and Duchess of Richmond, and had happened to confer some other little favours upon him. I had *carefully avoided* receiving the smallest or the *greatest* from him.'—vol. i. p. 211.

He does not tell us what those '*greatest favours*' were which at that early period Fox could have granted and Walpole so '*carefully avoided*,' when we see that he had been soliciting 'great favours' from one whom he hated still more than Fox—Mr. Pelham. He proceeds, however:—

'As Fox's character opened more to the world I declined any connexion with him in politics, though determining never to have a quarrel with him, as I well knew his vindictive nature. When he united with the Duke of Newcastle [in 1755], he had offered—*in truth slightly enough*—to procure the *reversion of a considerable place which I hold only for my brother's life to be confirmed for my own*, provided I would be on good terms with the Duke of Newcastle. I answered with much scorn, "I will not accept that reversion from the Duke."—vol. i. p. 211.

Fox, perhaps, when he made this *slight overture*, was not aware that this favour had been only four years before refused by Mr. Pelham—probably with the concurrence of his brother the Duke and of Lord Hardwicke, both of whom were still in power;—but Walpole no doubt remembered it keenly, and scornfully refused what he suspected Fox, who mentioned it so slightly, could not have obtained. And as to his aversion to receive such favours from the Duke of Newcastle, we have only to remind our readers of the corrupt favours that he solicited from that Duke in November, 1758.

This negotiation with Fox in 1755, Walpole relates as introductory to another still more shameless. Fox having undertaken the management of the House of Commons, very naturally set about mustering his forces; and, with a view of securing Wal-

* So great a political intimacy that Walpole was one of two or three confidential friends whom Fox consulted as to his accepting the seals of Secretary and the lead of the House of Commons from the Duke of Newcastle in 1754.—*Mason*, iv. 56.

pole and his connexions, wrote him the following letter, which Walpole calls '*artful and disingenuous*,' but which, on the contrary, seems to us to tell plainly and honestly what all, but Ministers and Members of Parliament would be apt to call its very dishonest purpose:—

• 'TO THE HON. H. WALPOLE.

'November 21, 1762.

'Dear Sir;—When I heard that the *Parks*, which Lord Ashburnham had quitted, were worth 2200*l.* a-year (as they certainly are), I thought such an income might, if not prevent, at least procrastinate your nephew's ruin.* I find nobody knows his lordship's thoughts on the present state of politics. Perhaps he has none.

• 'Now are you willing and are you the proper person to tell Lord Orford that I will do my best to procure this office for him if I can soon learn that he desires it? If he does choose it, I doubt not of his and his friend Boon's [member for Lord Orford's borough of Castle-rising] hearty assistance; and believe I shall see *you too* much oftener in the House of Commons.

'*This is offering you a bribe*, but it is such a one as one good-natured man may offer to another,' &c.—*Works*, vol. i. p. 213.

Walpole's reply is not quite so intelligible; but as its conclusion eulogises his own scrupulous delicacy, we shall produce it that it may speak for itself. He says he will transmit the offer to his nephew without any advice:—

'Because I do not mean to be involved in the affair any otherwise than as a messenger. A man who is so scrupulous as not to accept any obligation for himself, cannot be allowed to accept one for another without thinking himself bound in gratitude as much as if done to himself. The very little share I ever mean to take more in public affairs shall and must be dictated by disinterested motives. I have no one virtue to support me but that disinterestedness; and *if* I act with you, no man living shall say that it was not by choice and by principle.'—*ib.* 216. •

We should have expected that such high 'disinterestedness' would have flamed out against an *avowed* bribe—not at all; and the result was that Lord Orford accepted the rangership and that Horace Walpole voted for Lord Bute's peace—a peace which he everywhere throughout the whole *Memoirs* censures with undying virulence, as on the part of Lord Bute and Fox personally corrupt. He calls it '*a scandalous peace*,' (i. 169)—'*ruinous and shameful to the country*,' (i. 338)—'*thunder was wanting to blast such a treaty*,' (i. 226)—'*the infamy of the peace*' (i. 168). Yet he and his nephew accepted Fox's 'bribe,' and voted for the peace.

Bad as this appears, we suspect that there was still worse behind. We do not believe that Walpole's vote was determined altogether by his nephew's place, about which he probably cared
very

very little; and we find that he was exceedingly enraged with something in Fox's conduct in the affair, which is not explained, but which, we strongly suspect, was that, instead of this superfluous care about his nephew, Fox had not contrived to make some arrangement for *his own places*. That this was strongly in his mind is clear, for he immediately adds that Fox was displeased by his answer to the 'artful and disingenuous letter,' and showed his spite by prompting Martin, the Secretary of the Treasury, to *delay the payment of Walpole's office-bills*; on which Horace adds that he made a direct appeal to Lord Bute and was redressed:—not, however, very speedily; for from the note to Lord Bute, already mentioned, it appears that payment was delayed for five months after Lord Bute had signed the order. It is clear, therefore, that Lord Bute had for some reason interposed a new delay, and that reason could not have been exactly what Walpole represents—Fox's dissatisfaction with his *answer*—for the obstacle had arisen, it seems, a month before the date of Fox's letter. This affair, whatever the details may have been, evidently rankled in Walpole's mind, always morbidly sore on the subject of his offices, and inflamed his animosity against both Bute and Fox.

Yet this was not Mr. Fox's greatest offence at this period. After repeating his violent censures of Fox for the shameless corruption with which he obtained votes for the peace, and stating that the *numbers* of the division were printed—227 against 63—he adds, 'had they printed the *names*, the world would have known the names of those who were *not* bribed!'—*he* having been in the majority, and in that majority we doubt whether there was any man more open to the imputation of bribery than himself. Probably he was the only one of them all that had accepted a *Bribe*—offered directly *eo nomine*. He then proceeds to expatiate on the vengeance that Fox took of those placemen who had voted against the government—'a more severe political persecution never raged,' and so on—with such vehemence, that the Editor, apparently well inclined to excuse Mr. Fox, knows not what to say in his defence, and after several successive expressions of regret at divers instances quoted by Walpole, can only wind up by saying, 'This persecution is inexcusable, and very unlike Mr. Fox, who was a very good-humoured man.' Sir Denis de Marchant might have boldly said that the ministers did no more on this occasion than their mere duty. Could they have carried on the government an hour in those days of faction, if on such a question as a *PEACE*—the pivot on which all national as well as all party interests turned—they had permitted their subordinate placemen to oppose them with impunity? But Sir Denis might have seen that it was no tenderness for the little ousted clique, whom

whom Walpole despised and hated, that excited his virtuous indignation. The real cause comes out a little later:—

‘The persecution set on foot at the close of the last year was kept up with unrelaxed severity . . . and though Mr. Fox enjoyed a considerable sinecure in Ireland, yet so much did his thirst of vengeance surmount his interest, that a question was put to the Chancellor whether the King *could not take away patents granted in former reigns*!’—vol. i. p. 240.

The patents of former reigns! ‘Ha! thou hast touched me nearly!’ But this is followed by a still more striking instance of the selfish virulence of Walpole’s judgment of men. Sir Fletcher Norton, the Solicitor-General, is distinguished throughout all Walpole’s works by a special measure of obloquy and defamation. In this place he says of him:—

‘This man now rose from *obscure infamy* to that *infamous fame* which will long stick to him. It was known that in private causes he took money from both parties.’—*Ib.*

To this the Editor enters a very faint denial—‘the charge is very improbable, as he had too many rivals and enemies to admit of such conduct remaining unpunished,’ &c. &c. This is a very inadequate notice of such an atrocious calumny—the real explanation and consequent refutation of which are found even in Walpole’s own text, in which he says that this question of the resumption of the *patents granted in a former reign* was referred to the Solicitor-General, and that Norton

‘advised to *take away the places*, and then see if the law would restore them!’—*Ib.*

Take away the places! Walpole had only *five* of them, producing 6000*l.* a-year, and not one other penny of income in the world.

‘What! all my pretty ones?’

Did he say all?—*O Hell-hite!*—all?

We pardon Walpole for hating Fox and Norton on such provocation—but we cannot forgive his professions of impartiality and disinterestedness.

George Grenville succeeded Lord Bute in the Treasury, and in due course of time in Walpole’s hatred—and from the same cause. Walpole began, as he did with all first ministers, as a zealous supporter:—

‘I had been pleased at Grenville’s becoming minister, having (I confess my blindness) entertained a most favourable opinion of his integrity. Nor had his venal prostitution of himself to Lord Bute as yet opened my eyes. But I was again roused by the arbitrary treatment of Wilkes. Still I had not the most distant suspicion of what his heart was capable, nor any view of opposing his administration. Thinking him as frank and candid as myself, I desired Mr. Thomas Pitt—attached to him,
and

and my own friend—to tell him fairly in the summer that I *believed* I should differ from him when the point of General Warrants should be agitated in parliament.

But not content with opposing them myself, I earnestly desired that Mr. Conway should oppose them too, and in bringing that about *I by no means piqued myself on the same frankness.*—vol. i. p. 340.

And after this strange confession, he proceeds to state the details of the intrigue by which he persuaded Conway, who was a Groom of the King's Bedchamber, to separate from his brother and friends, and vote against General Warrants. For this vote poor Conway, who little suspected that he was the cat's-paw of the *Usher of the Exchequer*, was dismissed both from his place, and, as was not unusual in those days, his regiment. That the *Ushership of the Exchequer* was in some way implicated in Walpole's sudden breach with Mr. Grenville comes out in a long-subsequent passage of the 'Mémoires,' where, in acknowledging 'the justice and civility which he always received from Lord North' (after he had left the House of Commons and abandoned politics), he adds, 'when I am thus grateful to the living for civilities, I scorn to recollect the rancour of the dead' (Ib. 332). The only First Lord of the Treasury to whom this bitter and 'rancorous' sarcasm could then apply was George Grenville.

Again:—

'I had risked [in opposition to Grenville's ministry] an easy, ample fortune with which I was thoroughly contented. When I found *unjust power exerted to wrong me*, I am not ashamed to say that I flattered myself that if ever our party were successful, I should obtain to have the *payments of my place settled* on some foundation, that would not expose me to the *caprice or wanton tyranny of every succeeding minister.*'—*Mem. Geo. III.* ii. 211.

And again:—

'The very day before the dismission of Mr. Conway, Grenville, whether to detach me from him, or fearing I should make use of the indiscretion he had been guilty of, *ordered the payment of my bills at the Treasury.*'—vol. i. p. 408.

The bills, then, had been *stopped*!—why, or how long before, we are not told, but we have not the slightest doubt that if we could obtain the details of the case we should find that Walpole's first suspicion of his friend Grenville's integrity and his earliest scruple as to the legality of General Warrants were simultaneous with the occurrence of some hitch, in the '*payment of his bills.*' What he was likely to feel at the *delay* of his bills may be judged by the fury—'the ebullitions of rage,' as he calls it—which he felt at Grenville's ordering their *payment* at such a critical

tical moment—meaning, perhaps, to convey a contemptuous hint that he saw and appreciated the motives of Walpole's new-born patriotism. Walpole proceeds not only to confess, but to boast of the rancour and success with which he contrived to embarrass and annoy the Ministry; though we believe that he very much overrates the actual effect of his intrigues;—a common fault with most men—but a peculiarly predominant one with him—the most blind of any man we ever saw or read of to everything he was unwilling to see. In his thirst of vengeance he formed some projects which he himself admits would have been unbecoming a man of honour. We have seen that he employed his 'own friend,' Mr. Thomas Pitt, as a channel of communication with Mr. Grenville. In the course of the negotiation some letters passed between the parties, and Walpole had conversations with both Grenville and Pitt, all which, even on Walpole's own statement, appear to us perfectly innocent and natural; but Walpole, really wanting to be bribed, affected to consider one or more of the Letters as an offer to bribe or intimidate him and Conway; and then he relates that

'to add to their confusion, I had preserved exact minutes of the two conversations of Pitt and Grenville, of which they had no suspicion. I felt the opportunity of doing justice both to Mr. Conway and myself; and of making Mr. Grenville understand that if he did not do me justice in the regularity of my payments, he was at my mercy, and must expect those letters to be laid before the public, if not before the House of Commons.'—vol. ii. p. 11.

This was little better than an attempt to extort money, and would have been a fit subject of a criminal prosecution. We have ourselves seen these letters, which are altogether to the disadvantage of Walpole, whose conduct was so shuffling that Mr. Grenville terminated the discussion by writing to Mr. Pitt in a style that must have stung Walpole:—

'After what I have met with, you will not wonder that I will have no further intercourse with Mr. Walpole upon this subject, neither directly nor through the channel of any one else.'—Grenville MSS.

Walpole, however, says—and here we believe him—that he would have been very unwilling to make this exposure; but

'Grenville was far from having the generosity to imitate me. My payments were carefully made before the parliament opened; but when I had let the session pass without using the materials in my hands, an embargo was again laid on the income of my employment. Have I been unjust in saying that almost any steps which are lawful against *banditti* would be justifiable against such men? But I found means to retaliate without violating the strict laws of honour.'—vol. ii. p. 12.

What his *honourable* modes of retaliation were, he does not say—perhaps

perhaps the libelling his enemies in these Memoirs was one—but it would have been rather fairer to have published the original documents. No reader, we believe, will doubt of the motives that prevented the execution of that menace, and substituted the safer course of traducing, in these posthumous Memoirs, the memory (for Grenville died while he was writing them), of that eminent and we believe honest statesman, who, with his habits of business and in his desire of economy, had, probably, attempted some inquiry into the practices by which his own immediate subordinate, the *Usher of the Exchequer*, received 4200*l.* per annum for 'shutting the Exchequer-gates, and paying the tradesmen's Bills.'

In 1763, after a short ministry of about two years, Grenville was turned out by that combination of factions which led to the first Rockingham ministry; and General Conway became Secretary of State and leader of the House of Commons. And this opens some new scenes of Walpole's indefatigable perseverance in pursuing his jobs, more curious and as little creditable as any of the former. He has told us frankly that he expected that a Government which he had helped to form could not be so ungrateful as to refuse to accomplish his objects. He does not tell us the special form his wishes now took, but it was something so monstrous, that even his cousin-german and—if we are to take his own word for it—his creature, Conway could not listen to it—Conway—who, before the publication of these volumes, we said and thought, was the only human being for whom he seemed to feel what is ordinarily called friendship—almost the only one of whom he had left a favourable report!—but, alas! this solitary friendship—this unique affection—was, we find, weakened if not severed by this engrossing anxiety about the secure places.

At this moment, apparently so auspicious, and when we should have expected to find Walpole triumphant in the success of his patriot friends, we are startled at reading, at the head of the tenth chapter of the second volume of these Memoirs, '*Walpole's separation from his party*,' and by a statement that

'the dissolution of our opposition now afforded me that opportunity of *retreating* from those who had composed it, for which I had so eagerly longed; nor was I dilatory in executing my resolution. Many new reasons concurred to make me adhere to the plan I had formed.

'If I quitted them triumphant, they would have no right to call on me should they again be defeated by their own want of skill. I had fully satisfied my honour and my engagements, and had any body cause to complain, it was myself—but I chose to part with them on good terms. Not the *smallest* view of *self-interest* had entered into my imagination.'

—vol. ii. p. 210, 211.

All this, even if true, would be, when closely examined, more plausible

plausible than satisfactory; but, unfortunately, it is altogether false. For, proceeding to say that 'truth demands some further explanation,' he enters with the blind impetuosity of an angry man into explanations which contradict in fact and even in terms every point of his preceding assertions, and exhibit the continued influence of the same mean motives that we have traced on so many other occasions.

'He left not faction, but of it was left,'

and retired not spontaneously, but in deep and double dudgeon at not having had an offer of political office for which he was totally unfit, and at being again disappointed in the accomplishment of his sinecure jobs. After exclaiming, as we have seen, that *he had not the smallest view of SELF-INTEREST in the matter*, he goes on to prove that he had nothing else. Beginning with the allusion to Mr. Grenville already quoted, but which we must repeat as an introduction to what follows, he says—

'when I found unjust power exerted to wrong me, I am not ashamed to say I flattered myself that, if ever our party was successful, I should obtain to have the *payments of my place* settled on some foundation that should not expose me to the caprice or wanton tyranny of every succeeding minister.

'*My wish of making this independence perfectly easy* I had hinted to Mr. Conway during our opposition. He received it with *silence*. It was not in my nature to repeat such a hint.'—vol. ii. pp. 211, 212.

Our readers will not wonder that Conway should receive with silent reproof a proposition for rewarding Walpole's *independent* support, by getting the Treasury to relinquish its control over the bills of the Usher of the Exchequer, and by obtaining a place of 1400*l.* a-year for two lives, and one a young one, instead of for one old life—but we may surely feel some surprise that Walpole should imagine that this was political *independence*. A more barefaced avowal of a more corrupt object we do not know that we ever before met with—not even in Bubb Doddington. But this was not all. This man, possessed of *five* sinecure places producing an income of 6000*l.* a-year, would not, if we are to believe his own accounts, have been satisfied with making them more 'independent,' that is, more lucrative and permanent; his vanity and ambition must be further gratified by an offer of political office—and this he avows in the following astonishing paragraph immediately following that last quoted:—

'As *DISINTERESTEDNESS* was my ruling passion, I did hope that on the change some considerable employment would be offered to me, which *my vanity would have been gratified in refusing*. It was mortifying enough to me, when Mr. Conway reported to me the proposed arrangement

ment of places, to find that my name had not been so much as mentioned.'—vol. ii. p. 212.

Then comes a sharp invective against Conway. He complains that the other leaders of the party did not at least go through the form of *offering him something*, although 'he had declared, and it was well known, he would take no place.' (*ib.*) Now we do not see why a statesman, employed to form a ministry, should embarrass and depreciate his mission by offering office to one who he knew would, merely to gratify his own vanity, refuse it. But after all we have good reasons for believing that Walpole did not seriously wish for political office, nor even expect an offer of it. It would not have suited either his habits or his tastes; and his more substantial views were certainly directed towards the sinecure jobs; but as a failure there would have been neither a *safe* nor decent cause of quarrel, he prudently chose to place it on the more absurd but less dangerous and discreditable ground of the political slight. This, probable from all the circumstances, is proved by some expressions in his complaints of Conway's indifference to his interests, which begin with the supposed *political* neglect, but soon fall into the real grievance:—

'What could excuse this neglect in Mr. Conway? For him I had sacrificed everything; for him I had been *injured, oppressed, calumniated*. The foundation of his *own fortune*, and almost every step of his fortune, he owed solely to me. How thoroughly soever he knew my sentiments [as to not wishing for political office], was a *compliment* at least not due to me? Whatever was due to me, much or little, he totally forgot it; and so far from once endeavouring to secure my independence, in his whole life after he never once mentioned it. I had too much spirit to remind him of it, though he has since frequently vaunted to me his own independence. Such failure of friendship, or, to call it by its truer name, such insensibility, could not but shock a heart at once so tender and so proud as mine. His ensuing conduct completely opened my eyes.'—vol. ii. p. 212.

'A heart so tender and so proud' as to quarrel with its nearest and we might say, only friend, because he did not interfere, contrary to his duty as a Minister of State, to do a dirty job for the Usher of the Exchequer. In winding up this story, Walpole, with a show of doing justice to Conway, supposes that his neglect arose not from ingratitude, but forgetfulness;—

'his temper was chill and his mind *absent*; and as I had too much delicacy to mention even my own security, I am persuaded it never came into his conception.'—*ib.* p. 215.

Here again the word '*security*' betrays the real cause of quarrel to have been the precarious sinecures; and when Walpole, with wonderful self-complacency, supposes that nothing but forgetfulness

ness and *absence* of mind could have prevented Conway's accomplishing his object, while his own delicacy prevents his jogging the memory of his oblivious friend, he himself forgets that he had just told us that he had stated it to Conway before the formation of the new ministry, and that Conway had even then received it with an ominous silence which forbade the repetition of the suggestion.

But though thus disappointed at the outset of the Rockingham administration and affecting to have abandoned politics, we find Walpole more active than ever in the long and complicated ministerial intrigues between 1766 and 1770, and employing his influence over the wavering and unconscious Conway to keep him in office, and even, on the resignation of the Duke of Grafton, to place him at the head of the Treasury. In all this he was actuated, no doubt, partly by his natural love of dabbling in such intrigues and his personal interest in Conway, but partly also, we are satisfied, by the hope of laying the government under such an obligation to him as should ultimately carry his job. The King, who confided in Conway's honour, though he feared his want of firmness and resolution, felt obliged to Walpole for his endeavours to steady his friend, and so expressed himself to Conway's brother, Lord Hertford. Walpole was delighted. He now saw in the King's gratitude a shorter cut to his great object:—

'I must confess there was a moment in which, reflecting on my success, and on the important service I had rendered to the King in so distressful and critical an hour, I was tempted to *think of myself*. I saw I might have written to the King, or asked an audience, or made any terms I pleased for myself. *My brother had just been at the point of death, and presented me with the near prospect of losing half my income.* What would remain, would depend on the will of every succeeding First Lord of the Treasury; and it was determined in my own breast that I would pay court to none. I resisted, however; and in this favourable shining hour, resolved to make no one advantage for myself. I scorned to tell either my friend or myself, and sat down contented with having done the best for him, and with shutting the door against a crew I hated or despised.'—vol. iii. pp. 78, 79.

We are not the dupes of this heroic self-denial. Walpole on reconsideration could not but see that in that crisis the King neither would nor could have attempted to meddle with this paltry job, and that eventually his best and indeed only chance of success was by keeping Conway in office with a friendly First Lord of the Treasury. This prospect was, however, soon closed. The Duke of Grafton resigned—Conway retired—Lord North's administration commences a new era—the *sinécures* remain in *statu quo*—and the *Memoirs* terminate.

We have thus traced, even by the scanty light of his own inadvertent confessions, Walpole's attempts at what too clearly seems a corrupt jobbing with each successive administration, from 1751 down to 1770; and we think nobody can doubt after this detail, that Walpole even in his 'Letters,' but distinctly in every line of both sets of his *Memoirs*, was writing under the impression of morbid feelings which distort and discolour every scene and person, and disentitle him to any credit wherever his passion or prejudice can intervene; and these were so acute and so subtle that it is impossible to say that there is any circumstance, however apparently indifferent, into which they did not penetrate. His works are really 'a copious polyglot of spleen' and an 'universal satire' on all mankind. When we formerly made a somewhat similar observation, we excepted Conway as the only person spared from the general obloquy—we can except him no longer; he has now descended into the *limbo* to which Walpole consigned all his contemporaries—we believe we may now say without exception.

If any reader should be inclined to think that we assign too much importance to this detection and exposure, we beg leave to remind him that, from a variety of concurrent causes, Walpole is likely at first sight to obtain a confidence which he in no degree merits, and that his pertinacious efforts to poison history require that at *each successive attempt* the antidote should be administered. „Nor let it be supposed that this iteration of our charges is superfluous when we see such a writer as Lord Mahon—so impartial, so desirous of truth, with such apparent opportunities of information, and so well aware of Walpole's bias as to set out with admitting that 'on no occasion would he readily trust Horace Walpole as to motives' (*Hist. of England*, vol. iv. p. 14), yet immediately after falling into Walpole's snares—habitually quoting, and sometimes copying without quoting—his malicious romances, adopting as to Lord Bute the stigmatising description of 'the Favourite,' and giving consistence and countenance to the factious libels of Wilkes and the sneering slanders of Walpole by such an assertion as that 'no monarch was more deservedly beloved than George III. in the latter half at least of his reign—after he had shaken off the sway of the NORTHERN FAVOURITE!'

the 'earlier half' of his reign extending to 1790. Lord Mahon adds indeed that 'the report of that sway long survived its reality;' but this, taken with the context, implies his opinion to be, that the influence did not outlast 1790, while the jealousy of it survived even that late period—the truth being, even by Walpole's own confessions, that there was no favouritism at all, nor any influence beyond the time when Lord Bute ceased to be minister—1763.

But

But Lord Mahon must be well aware that Walpole's *Memoirs* are little else than an apocryphal chronicle of '*motives*.' There are in either series very few new facts—hardly one, that we recollect, of any real historical importance; their value, whatever it may be, is nothing else than the *motives* which they assign to the several actors in scenes and circumstances already superficially known—and such, in truth, is the special value of that class of historical information generally described as *memoirs*. To say, therefore, that a memoir-writer is not to be trusted for the motives he imputes, is to say that, as helps to history, his work is infinitely worse than worthless. We do not go quite so far. Walpole is like any other prejudiced witness: though there may be a predominance of falsehood and a general discolouration, there will yet be, in a long and varied narration, a considerable portion of voluntary or involuntary truth. The art of using such a witness to advantage is a minute study of the admitted facts—a general balancing of the antagonist testimonies, and a conscientious sifting of the evidence in each minute portion of the case, so as finally to discriminate between the real colour of the transaction and the partial colour of the narrative. It ought to be something like restoring an old picture which has been painted over: you must wash off the whole varnish, and then proceed with great care and caution to remove the supposititious touches from the original ground. You will probably find there some elementál traces, more or less slight, of the surcharge which you have removed—but you will also frequently find that the manufacturer, by way of producing an effect after his own taste, has made gratuitous additions for which he had no ground whatsoever. Thus, to take three of Walpole's most prominent figures: we believe that his account of the Duke of Newcastle is much exaggerated—that of George Grenville a mixture of exaggeration and falsehood—that of Lord Bute's influence as 'the Favourite' after 1763, a gross and from many indications 'we must add, an intentional and malicious deception. In all these cases, and in many others collateral to them, we have traced the malevolence to one special and powerful cause—but we know not to what extent beyond our limited inquiries, that cause may have operated, nor have we space or time to indicate, much less examine, various other motives of private and personal animosities, of which his Letters and Memoirs, as well as the evidence of his contemporaries, afford abundant symptoms. We here need only say that no historian reverent of truth should quote one line from Walpole without a minute investigation of the individual fact, and of the possible temper in which Walpole may have related it.

Without, therefore; saying positively that Walpole's *Memoirs*

are of no historical value, we assert that their value is much less than their mischief; because few readers can have the means, and still fewer will have the diligence, for a minute and critical examination of his details, while the public will greedily swallow the 'potion so suited to the general appetite for scandal, without attempting to distinguish the ingredients.

There are, however, in this work degrees, and if we may so express ourselves *eras* of more or less credibility. Up to the year 1765, when General Conway came into office, Walpole was in Parliament, and attached to one or other of the various factions of the day—always endeavouring to be on good terms with each successive ministry until the disappointment of his job sent him into opposition;—in a word, habitually in opposition—but that opposition generally a prudent one, with a careful eye to the possibility of a turn of the ministerial wheel which might give him another chance of obtaining his private object. During this period he was of course but imperfectly acquainted with the real views or principles of the Government; of which indeed he could know no more than a member of the Opposition usually does of the real motives of Ministers, and is no more entitled to credit than the rumour of Brookes's as to the business of Downing Street. He was, however, well acquainted with the intrigues, of the several opposing factions, and may generally be trusted for any unfavourable exposure of that to which he happened at the moment to belong.

The next period extends from Mr. Conway's accession to the cabinet in 1765 to his resignation of the seals in 1768, and even for the following year, in which Conway as Lieutenant-General of the Ordnance still attended Cabinet Councils. During this period it seems that Walpole was better informed than *he ought to have been* on many cabinet questions—not indeed, it would seem, on any great national concerns, but very much as to the difficulties and embarrassments in the conduct of the King's government, especially those created by the strange trance in which Lord Chatham voluntarily or involuntarily passed the whole of his last unhappy and discreditable administration. In this portion of the work it is amusing, and not without instruction, to observe how much more rational Walpole's ideas of government had grown—how sensible he had become of the indecency and mischief of a factious and interested opposition, and how much less disposed to doubt the good sense of the King, his sincerity towards his ministers, and his love of his people.

The third period cannot be better described than in Walpole's own words:—

'As I had rather disparage these Memoirs than disappoint the reader by promising him more satisfaction than he will find, let me remind him

him that I had now quitted my seat in Parliament; and consequently, what traces of debates shall appear hereafter must be mutilated and imperfect, as being received by hearsay from others, or taken from notes communicated to me. As I had detached myself, too, from all parties, I was in the secrets of none: and though I had curiosity enough to fathom some, opportunities of learning others, and made observations on what was passing, in which I was assisted by the clue of what I had formerly known; yet it will doubtless be perceived that my information was often incomplete, and that the mysterious springs of several events never came to my knowledge. In those situations I shall be far from decisive: yet that very ignorance may guide future historians to the search after authentic papers; and my doubts may lead to some certainty. It may yet be asked why I choose, under these impediments, to continue my narrative, while I allow that it must fall short of the preceding parts? The honestest answer is the best: it amuses me. I like to give my opinion on what I have seen: I wish to warn posterity (however vain such zeal) against the folly and corruption and profligacy of the times I have lived in; and I think that, with all its defects, the story I shall tell will be more complete than if I had stopped at the end of the foregoing Parliament.—vol. iii. pp. 180, 181.

The amusement was the gratification of his resentments—the *odium in longum jacens*—and yet it is evident both in his style and sentiments that his escape from the actual whirlpool of party had somewhat sobered and rationalised his mind; and although his narrative is still disfigured by the worn-out bugbear of ‘the Favourite,’ and still tainted with his constitutional or at least habitual propensity to conjectural imputations and personal malice, this is on the whole the portion of the volumes that instead of ‘falling short’ as he supposed of the others, may, we think, be read with the most satisfaction and the greatest approach to confidence. But it contains little that is new—particularly to the readers (and who have not been readers?) of Walpole’s Letters; where most of the essential matter having been already recorded, especially the two first volumes of the last series to Sir H. Mann, which contain in truth the substance of these Memoirs in another form.

As an historical work these volumes have—besides the capital sins we have already exposed of self-interested malignity working on a cynical temper—some great faults both political and literary. As to naked facts and the mere succession of events, the skeleton, as it were, of history, Walpole is in general accurate, and no doubt brings to light many small details of this kind which, *valcant quantum*, are obviously entitled to credit; but his natural inclination was to grope an obscure way through mazes and *souterrains* rather than walk the high road by daylight. He is never satisfied with the plain and obvious cause of any effect, and is for ever

striving after some tortuous solution. It was the turn of his mind. He was crooked in all his own little habits—

‘Nor took his tea without a stratagem.’

Everything that passed through his mind seemed to undergo a kind of refraction,—like a stick in water,—the straight appeared crooked, and crooked straight: and so in all the actions of men, and especially in politics, he conjures up intrigues, and plots, and purposes which never entered into any mind but his own. Almost every page would afford an instance of this *mania*—for such it really seems: two or three of them taken at random, and which have the advantage of requiring little explanation from us, will suffice.

The young Queen was, in Walpole's morbid fancy, a *prisoner* from the hour of her arrival in England:—

‘Lord Harcourt had been sent to fetch her from Harwich with the Duchesses of Ancaster and Hamilton: but as an earnest of the *prison prepared for her*, and to keep her in that state of ignorance which was essential to the views of the Princess, they were forbidden to see her alone.’—vol. i. p. 71.

‘The affection she conceived for the King softened the *rigour of her captivity*.’—*Ib.* 72.

‘Soon after Buckingham House was purchased and bestowed on her Majesty; St. James's not seeming a *prison strait enough*!’—*Ib.* 159.

The jailer was the Princess Dowager of Wales—the King's mother: and so extravagant was her tyranny, that the young King himself was absolutely shut up in the same dreary dungeon:—

‘There the King and Queen lived in the strictest privacy, attended absolutely by none but menial servants, and never came to the Palace, but for the hour of levees and drawing-rooms.’—*Ib.* 159.

‘Tastes differ. We dare say that the foolish young couple mistook this “imprisonment” for as near an approach to freedom as royalty can enjoy. They were at least so deluded as to continue the same mode of life for the almost half century that they survived their jailer.

Again:—after extravagating on the prodigious patronage showed on the Scotch, he proceeds—

‘In the beginning of the reign, Lady Charlotte Edwin, a sort of favourite Lady of the Bedchamber to the Princess of Wales, dropped this *memorable* expression to me—“*Things are not yet ripe*.”’—iv. 310.

‘Ripe’ for *what*—Walpole does not venture to say distinctly, but clearly intimates a *Jacobite Revolution, to be effected by a Scottish army*—a secret most judiciously confided to Lady Charlotte Edwin, who, with equal judgment, ‘drops these *memorable* words’ to

Mr,

Mr. Walpole—as well known for his great discretion as for his Jacobite inclinations—and who immediately corroborates Lady Charlotte's intelligence by the following alarming fact:—

'The swarms of Scots that crowded and were gladly received into the army and into the *corps of Marines*, a body into which few English deigned to enlist, were no doubt placed there to *bring things to a maturity*, or protect them when brought to it.'—iv. 310.

This astute detection of the King's personal desire and purpose to overturn the Constitution, and establish despotism, by means, as a chief agent, of the *corps of Marines* (!), is subsequently repeated with still more solemn and argumentative sagacity.—(iv. p. 353.) Faction is for ever the same; and Walpole revives the extravagance of Shaftesbury, and fills his pages with fanciful

'jealousy and fears
Of arbitrary counsels brought to light,
And proves the King himself a *Jacobite*.'

Again:—Lord Chatham and Lord Rockingham happened to be both thrown into opposition to the Duke of Grafton. Lord Chatham—full of fire and faction, and with some additional spleen against the Duke of Grafton—made a very natural move to combine with Lord Rockingham their opposition against the common enemy. See how Walpole travesties this proceeding into a low meanness, of which, sober or mad, Lord Chatham never could have been guilty.

'Lord Chatham's profusion had involved him in *debts and great distress*; and that *distress reduced him* to more humane condescension than he usually practised. He sent a message to Lord Rockingham, professing high esteem, and desiring a personal interview to remove former misunderstandings, and to cement a common union between the friends of the public.'—vol. iv. p. 33.

And in another place he makes a similar imputation against him as well as against another great and popular name:—

'Calcraft, that minion of fortune, to *ensure Lord Granby's dependence* and resignation, now lent him sixteen thousand pounds, additional to a great debt already contracted. Lord Granby accordingly, on the 17th, resigned.

'Lord Chatham was in the *power of the usurer Calcraft*—so low had those two men, who had sat at the top of the world, *reduced themselves* by their dissipations!'—vol. iv. p. 47.

These extravagancies amuse by their absurdity or disgust by their malice; but to an ordinary reader the *Memoirs* have a still greater fault—they are confused, obscure, and therefore wearisome: there is no narrative—no attempt to preserve a train of action or thought—he writes, as the French say, *à bâtons rompus*; and the whole is such a constant recurrence and jumble of names, opinions,

opinions, and events—the smallest being always treated with more detail and emphasis than the greater—that we ourselves, who have paid some attention to the real history of those times and who are familiar with Walpole's style of treating it, often get bewildered in such an unvarying labyrinth of intrigues and intriguers—such a chaos of proper names and improper motives—that we hardly know after an hour's reading which is which—Buffs or Bedfords, Grenvilles or Graftons, Rigbys or Rockinghams—any one of the *dramatis personæ* might play the part assigned to any other; and as Mr. Dangle, in the Critic, found 'the Interpreter the harder of the two,' we confess that we never thought the political events of the first ten years of George III. so difficult to understand as in the explanatory pages of Walpole.

But moreover; political intrigues are very stimulating topics while they are fresh, but very little so when the personal interests are passed away; and they become additionally insipid by growing so rapidly obscure. It requires not merely great attention, but some collateral information, to understand the nice distinctions, the slender differences, and the even verbal difficulties on which great political negotiations have turned. Take, for instance, the phrase by which Lord Chatham's negotiation with the Duke of Grafton was terminated—a negotiation that, if successful, might perhaps have prevented, or at least postponed, the American war, and all its tremendous consequences. 'I asked Lord Chatham,' says Colonel Fitzroy, the Duke's brother and messenger,

'Whether I should write that "*he was resolved not to renew the negotiation*;" he said, "*Resolved is a large word*;" and desired I would express myself thus—"Mr. Pitt's determination is final, and the negotiation is at an end." These are his own words.'—ii. 185; iv. 392.

The difference between the phrases is not very obvious,* and our readers would hardly forgive us for now wasting their time in attempting an explanation—so trivial do things become which were once so important. We do not say that such circumstances are not, to deeper inquirers into moral and political history, of some collateral value as features of a remarkable period; and this particular instance has a certain degree of importance as elucidating Lord Chatham's character, who could condescend in a great national crisis to such hairsplitting. But those who read only for amusement or general information will find the accumulation of such minutiae tedious and puzzling, and it is, as we have seen, the peculiar fault of Walpole that to an over-laborious

* Walpole's accuracy in this statement is confirmed by the autobiography of the Duke of Grafton, which the Editor has quoted in an appendix; and which, from this specimen, we shall be glad to see published *in extenso*.

detail of such realities he is always ready to superadd, when facts fail him, conjectures and visions of his own still more enigmatical. But, in truth, the natural turn of his mind was not only, as we have said, to mystery, but also to littleness—he loved *miniature* both metaphorically and really—preferred a Petitot to a Rubens, and—as he playfully, but we have no doubt truly, confesses—Strawberry Hill to Windsor Castle. So his Memoirs tend to lower mankind to one common size and level of mere selfishness; and we do not recollect in all his works above one or two admissions of any man's having uniformly acted from an innate principle of rectitude—a purely conscientious distinction between right and wrong;* for even the few to whom he occasionally attributes amiable qualities and high sentiments—such as George III., the Duke of Richmond, Lord Chatham, and General Conway—he seldom fails to disparage by a close-following imputation of some degrading influence. We do not mean to say that the words ‘principle,’ ‘integrity,’ ‘disinterestedness,’ ‘honour,’ ‘patriotism,’ ‘the people,’ ‘my country,’ and so forth, are not frequent in his pages; but they are either employed to glorify *himself*, or, when attributed to others, are treated as mere rhetorical expletives—a kind of oath like ‘*zooks*,’ or ‘*parbleu*’—that politicians use, without attaching any determinate meaning to the terms; while some form of self-interest—either place, or profit, or revenge—is the only motive by which he believes any man can be really influenced. And assuredly if we could give any credit to his picture of his times, we should be obliged to concur in his opinion: but without having any exalted opinion of human nature in general, still less of politicians, and, least of all, of the politicians of that factious and profligate age, we cannot bring ourselves to believe that it was so utterly *nulla virtute redemptum* as Walpole describes. It was his habit to look at the low and dark side of every character; and as every character has, we fear, some touch of the low and dark about it, the result has been a picture of his times as minute as Mieris and as savage as Spagnolett.

Walpole himself says (vol. ii. p. 159), ‘that he is painting *portraits of the time* rather than writing history:’ the metaphor is appropriate, but it would approach still nearer to the truth, if for

* We recollect but two cases which even look like exceptions. We think he bears general testimony to the integrity and honour of the *Duke of Richmond*; and he records of *Edmund Burke*, that when very young in public life he separated from his powerful political allies and dearest private friends, by declining to support a factious, and as it turned out a most mischievous and unfortunate, motion for the diminution of the land-tax; but even in these favoured cases, so strong is his propensity to slander, that he afterwards raises against Mr. Burke an unfounded imputation of having jobbed in India stock; and the Duke of Richmond, though connected with Walpole by his marriage with Conway's step-daughter, receives now and then a *coup de patte*.

portraits he had said *caricatures*—for such, indeed, his pictures are ; and—as in other collections of caricatures—amidst a general exaggeration and many total failures, there are some sketches which may be like, and others which in various degrees approach to resemblance.

The figure chief in importance and first in interest—though, from the nature of our constitution and the opportunities of the painter, by no means the most prominent—is the KING. Connecting his Majesty, as Walpole with a most culpable insincerity persisted in doing, with the secret influence and pernicious designs so untruly attributed to Lord Bute, we are rather surprised to find that his picture, though unjust and grossly erroneous in some important points, is not marked with deeper touches of his characteristic malevolence. : Indeed, it is remarkable that every *act and fact* that he relates are highly to his Majesty's credit—honourable to his head as well as his heart,—while the imputations he raises against him are those of conjecture or inference ; and it is also to be observed that the time during which he was nearest the court, and best informed as to the conduct of the King, is that in which he expresses the most favourable opinion of him. But upon this we lay no stress, for it is certain that Walpole, with all his natural shrewdness, knew nothing at all of the *character* of George the Third : witness his own sketch written after he has been by the Grafton administration brought almost into contact with his Majesty :—

'As far as could be discerned of the King's natural disposition, it was humane and benevolent. If flowing courtesy to all men was the habit of his *dissimulation*, at least it was so suited to his temper, that no gust of passion, no words of bitterness were ever known to break from him. He accepted services with grace and appearance of feeling ; and if he forgot them with an unrestrained facility, yet he never marked his displeasure with harshness. Silence served him to bear with unwelcome ministers, or to part with them. His childhood was tinctured with *obstinacy* : it was adopted at the beginning of his reign, and called firmness ; *but did not prove to be his complexion*. In truth, it would be difficult to draw his character in positive colours. *He had neither passions nor activity*. He resigned himself obsequiously to the government of his mother and Lord Bute : learned, and even entered with art, into the lessons they inspired, but added nothing of his own. When the task was done, he relapsed into *indifference and indolence*, till roused to the next day's part.'—vol. i. p. 20.

Here, while his Majesty's merits are faintly touched, the alleged defects are most remarkably the reverse of what everybody now knows to have been his real character. His good temper, his good manners, his discretion, his placability, his clemency, are all acknowledged ; but the obstinacy of childhood vanished, says
Walpole,

Walpole, into the opposite extreme of facility; a notorious mistake—one of the chief reproaches made to him in after life being that his firmness of purpose sometimes amounted to obstinacy. The truth is, the King was firm and decided in *his own* opinions and conduct, but felt as a constitutional sovereign in our mixed government that he was bound to submit his public acts to the advice of his responsible ministers; and it is from not considering with the same discrimination that his Majesty did the different feelings and duties that influence the *man* and the *monarch*, that he has been charged by some writers with obstinacy, and by Walpole with the opposite fault.

He had neither, says Walpole, passions nor activity, and was constitutionally of an indifferent and indolent disposition. Again a complete mistake: that he had passions, and strong ones, Walpole himself bears witness, and no one who knew his interior feelings could be ignorant—though his prudence, his virtue, and his sense of dignity and duty were still stronger.

The reproach of the want of personal activity to *Farmer George*—an early riser, a stout walker, an indefatigable rider, a bold fox-hunter*—is only ridiculous; but that of indifference and indolence in his regal duties shows an ignorance of one of the most peculiar traits in the royal character, which we should have thought strange in any man, but which is really surprising in one who might have been so well informed as Walpole—for nothing during the King's whole life was so remarkable as his *active, accurate, and intelligent dispatch of business*: he never postponed anything—never left a letter unanswered—never kept any one waiting—was always prepared for the matter in hand, and ready to put it out of hand—and the regularity and activity of his personal habits were never broken in upon but by his indulgence to ministers and servants less alert than their master. Every dispatch or dispatch-box that he received he, literally, *minuted* with the exact date of its reception, and returned it with an exact note of the time he had kept it. And we ourselves happen to know—*sit fas experta loqui*—that his last great illness was first announced to his ministers by the delay of a reply to a very commonplace communication—a delay which, never having happened in the course of fifty years but on two similar occasions, gave instant alarm. Nor was his Majesty's attention only *pro re natâ*—he took large and general

* The run would sometimes carry him so far from home that, having left all attendance far behind, he was obliged to get back in a hack postchaise. On one such occasion, returning very late of a dark evening along the Hounslow road, a highwayman attempted to stop the chaise; but the postilion, knowing perhaps whom he was driving, made a desperate push, knocked down the highwayman, and galloped safe to Windsor.

views of the whole administration of public business. He understood foreign affairs better than any minister he ever had, and took a lively interest in that department. He had not merely reports made to him of individual occurrences in the army and navy, but he received once a week, on stated days, accounts of the state, disposition and movements of all his naval and military forces; and knew as well as the First Lord of the Admiralty or the Commander-in-Chief—and sometimes better than they did on a sudden appeal—where every ship and regiment were employed. He was minute and scrupulous in his attention to all that related to the administration of justice. We have seen (Twiss's *Life of Eldon*) that even when his mind was supposed to be disturbed he omitted no point of duty, and set the Lord High Chancellor right on some of the formal details of his office. In short, we do not believe that any human being ever acquired a more accurate knowledge, or executed with a more intelligent regularity the details, of what is in truth a most complicated and difficult office—which the law allows, or rather obliges, the sovereign to exercise, in a great measure; by his responsible advisers, but on which an honest, a brave, and an intelligent monarch like George III. felt it to be his duty to satisfy also his own conscience, and to exercise his constitutional influence and control. The Editor of the *Memoirs* 'has been favoured with the perusal of some of those written communications which the King used to make to his ministers, of which we have formerly spoken. He gives a few, too few, extracts; but these fully confirm our opinion, that whenever and to whatever extent George III.'s correspondence with his successive ministers shall be disclosed, his character as an able, judicious, and conscientious sovereign and statesman, and an honest and amiable gentleman in the highest sense of the word, will be additionally confirmed.

Walpole, moreover, insinuates against the King a charge of personal ingratitude; and hints, in the preceding extract hypothetically, but in other places more directly, what lower scribblers had before imputed to his Majesty, dissimulation and duplicity. We believe that this charge is false, if possible, than the others. To the charge of *ingratitude*, Walpole's own volumes would be an answer; for on what are all his reproaches built even from their foundation but on the King's adherence and fidelity to his early friends, and to all who were supposed to be attached to his particular interests? We may question, as we do, some of the exaggerated statements of that attachment, but as against Walpole the answer is conclusive. The general imputation however, as well as the charge of dissimulation, arises again out of the

the mistake we have already noticed of confounding the feelings of the man with the duties of the king. George III. was steadfast, to an honourable obstinacy, in his attachment to his private friends; but the King submitted with decorum and grace to the frequent change of ministers which the vicissitudes of faction or of events forced upon him. The Constitution imposed these often painful sacrifices; it was his amiable and high-spirited study to undergo them with as little offence to the feelings of the parties, or to his own dignity, as the very difficult circumstances could admit. But Walpole quotes two special cases, on which he builds his notion of the King's insincerity. Let us examine these evidential cases:—

• 'The first moment of the new reign afforded a symptom of the Prince's character; of *that cool dissimulation* in which he had been so well initiated by his mother, and which comprehended almost the whole of what she had taught him. Princess Antalie [daughter of George II.], as soon as she was certain of her father's death, sent an account of it to the Prince of Wales; but he had already been apprised of it. He was out riding, and received a note from a German valet-de-chambre, attendant on the late King, with a private mark agreed upon between them, which certified him of the event. Without surprise or emotion, without dropping a word that indicated what had happened, he said his horse was lame, and turned back to Kew. At dismounting he said to the groom, "I have said this horse is lame; I forbid you to say the contrary."—vol. i. p. 6.

Now we, on the contrary, think that this first step of his life was of the happiest auspice, and foretold in the young man the prudence, self-restraint, and moral dignity, which were afterwards so fully developed. He had received an ambiguous notice '*that he was KING*'—was he to have pursued his idle ride and exhibited the indecency of having couriers and ministers riding about Surrey to look for the sovereign?—or was he, on the other hand, on such doubtful and irregular information, to proclaim the death of his grandfather, and parade himself, without further ceremony, as KING? He took the more, and indeed the only, discreet and decent course: he did not affect to ride home to hear the great news, but, in order to avoid observation, said his horse was lame, and did not command his groom to tell a falsehood, but only not to contradict him. Where was the '*calm dissimulation*'? • Calm presence of mind, and delicacy, and decency, there were; but, in our judgment, not one blameable circumstance.

The other instance which Walpole produces is one in which, even on his own showing (and he had in this case a motive for misrepresentation), the King was completely justified. It was on the subject of the *repeal*, by the Rockingham ministry, of Grenville's *Stamp Act*. The matter was violently contested. Lord Strange,

Strange, one of the placemen who opposed the repeal, stated in the clubs that, 'having mentioned to the King that the ministers had carried their bill entirely by a representation that his Majesty was favourable to it,' his Majesty had thereupon authorised him to contradict that assertion :—

'So extraordinary a tale soon reached the ear of Lord Rockingham, who immediately asked Lord Strange if it was true what the King was reported to have said to him? The other confirmed it. On that Lord Rockingham desired the other to meet him at court, when they both went into the closet together. Lord Strange began, and repeated the King's words; and asked if he had been mistaken? The King said, "No." Lord Rockingham then pulled out a paper, and begged to know if on such a day (which was minuted down on the paper) his Majesty had not determined for the repeal? Lord Rockingham then stopped. The King replied, "*My Lord, this is but half*;" and taking out a pencil wrote on the bottom of Lord Rockingham's paper words to this effect: "The question asked me by my ministers was, whether I was for enforcing the act by the sword, or for the repeal: of the two extremes I was for the repeal; but most certainly preferred *modification* to either."—vol. ii. p. 289.

This story is headed in the *Memoirs*, '*Double-dealing of the King.*' Our readers will, we think, agree that the King's conduct was alike frank and dignified. He avowed what he had said to Lord Strange—he rebuked Lord Rockingham for telling but *half the story*, and boldly, and we dare say somewhat indignantly, *wrote*—so as to admit of no misrepresentation—on Lord Rockingham's paper, the important qualification of his opinion, which Lord Rockingham had suppressed. Which was the *double-dealer*?

But great injustice would be done to George III., and our readers might also complain, if we did not exhibit, in fuller answer to Walpole's imputations, some portraits—out of his own gallery—of the principal statesmen with whom it was the misfortune of that good King and excellent man to have to deal. There were no less than seven administrations imposed by circumstances on the King within his first ten years. Let Walpole tell us how they were composed. We shall distinguish the successive prime ministers by printing their names in capitals.

Of Mr. Pitt himself, the first figure—though only one of the *Secretaries of State*—in the administration which the King at his accession found and retained, we will postpone Walpole's opinions till we arrive at his second administration.

Of the DUKE OF NEWCASTLE—*First Lord of the Treasury*—Walpole's contempt is so well known by his Letters and former *Memoirs* that we need add but a touch or two from this work more especially applicable to the period before us :—

'This

'This veteran, so busy, so selfish, and still so fond of power, determined to take a new *court-lease of folly*.'—vol. i. p. 11.

'A ridiculous old dotard. It was absurd in him to stay in place, insolent to attempt to stay there by force, and impudent to pretend patriotism when driven out by contempt.'—i. 168.

'Thus disgraced and disgracing himself, Newcastle resigned.'—*ib.*

The Chancellor, Lord Northington, was—

'too profligate, in every light, to carry any authority' (ii. 200). 'He made a pretence for quarrelling with the ministers, complaining *untruly* that he was not consulted, &c.' (p. 333). 'Whether this meanness was officious or instilled into him was not certainly known' (p. 334). 'The deepest tinge of that dirty vice, *avarice and rapaciousness*, blotted the Chancellor' (p. 357). 'A fool void of any colour of merit' (p. 357).

Mr. Legge—Chancellor of the Exchequer:—

'With all his abilities, Legge was of a *creeping, underhand* nature, and aspired to the lion's place by the *manœuvre of the mole*.'—vol. i. p. 301.

'Winchelsea said Legge had had more masters than any man in England, and had never left one with a character.'—*ib.* p. 39.

Lord Temple—Privy Seal:—

'This *shameless and malignant* man worked in the mines of successive factions for near thirty years together. To relate them is writing his life'—(vol. ii. p. 359). 'Nothing could be more offensive than Lord Temple's conduct, whether considered in a public or private light. Opposition to his factious views seemed to let him loose from all ties, all restraint of principles: and his brother was the object of his *jealousy and resentment*.'—vol. i. p. 295.

Lord Holderness—Secretary of State:—

'Orders were suddenly sent to Lord Holderness to give up the seals of Secretary of State: the King adding, in discourse, that he had two secretaries, one (Mr. Pitt) who would do nothing, and the other (Lord Holderness) *who could do nothing*; he would have one, who both could and would. This was Lord Bute. . . . But, however *low the talents* of Lord Holderness deserved to be estimated, they did not suffer by comparison with those of his successor.'—vol. i. pp. 42, 43.

And again, when he reappeared as *Governor to the Prince of Wales* in 1771:—

'Lord Holderness owed his preferment to his *insignificance* and to his wife, a lady of the bedchamber to the Queen, as she did hers to her daughter's governess, whom the Queen had seduced from her, to the great vexation of Lady Holderness. The governess, a French Protestant, ingratiated her late mistress with the Queen, and her mistress soon became a favourite next to the German women.'—vol. iv. p. 314.

* To which the Editor adds, 'None could deny his eminent qualifications as a man of business—his political integrity was less commendable. Doddington says, "his thoughts were *'tout pour la tripe*,"—all for Quarter-day;" and has, in common with Walpole, reproached him with *perfidy*.'—vol. i. p. 39.

Such,

Such, Walpole thinks, were the claims and qualifications of one who had been Secretary of State in Mr. Pitt's 'glorious' administration.

Of LORD BUTE, who succeeded Lord Holderness, and soon became *First Lord of the Treasury*, we need not repeat any of Walpole's general opinions, but we extract the following summary of his character while minister:—

'Success and the tide of power swelled up the *weak bladder of the Favourite's* mind' (vol. i, p. 177). 'His countenance of Fox was but consonant to the *folly* of his character' (p. 249). 'His *intrigues* to preserve power—the *confusion* he helped to throw into each succeeding system—his *impotent and dark* attempts to hang on the wheels of government, *which he only clogged*—all proved that neither virtue nor philosophy, but *fear*—and fear only—was the immediate and precipitate cause of his retreat. Yet let me not be thought to lament this *weak man's pusillanimity*; had he been firm to himself, there was an *end of the Constitution!* The hearts of Englishmen were *corrupt and sold*, and the best heads amongst them toiled in the cause of *despotism*' (p. 256).

And this imminent danger from despotism, all England being corrupted and sold to the Crown, is predicated of the licentious days of '*Wilkes and Liberty*,' when the triumph of demagogues insulted the dignity and even menaced the stability of the throne.

Of Mr. Fox, his general vituperation in both sets of Memoirs is too frequent and too diffuse for extracting; but as regards our present object, it is enough to quote Walpole's observations on his accepting the *leadership of the House of Commons* from Lord Bute:—

'Abandoned by his highest and most showy friends, Fox felt the mortification of *discredit* with his patron [the Duke of Cumberland] and the public. *Detested* by the public, he never could recover from the *stain* contracted at this period.'—vol. i. p. 197.

'Fox had *boldness and wickedness* enough to undertake whatever the Court was led to compass.'—*ib.* 242.

'Lord Holland was *cruel, revengeful, daring, and subtle*' (vol. iv. p. 126); 'and established universal *corruption and revenge*' (*ib.* 239).

And all this was written of a man whom at the same period Walpole was supporting by his vote in Parliament, and for whom, in 1767—still while he was writing these libels—he tells us that 'he laboured earnestly to obtain an *Earldom*' (iii. 95).

Of the Duke of Bedford, Lord President in that administration, and of his party, he says:—

'Lord Bute lost the *Bedford* faction—not from their *usual perfidy*; he had lost them before they suspected the smallest diminution of his omnipotence; but he had not gratified the ambition of the Duchess of Bedford. She had marked out for herself the first post in the Queen's family;

family; but with more attention to her pride than her interest had forbore to ask it, concluding it must be offered to her. The Princess and Lord Bute, either not suspecting, or glad to be ignorant of, her views, were far enough from seeking to place *so dangerous* a woman in the very heart of the palace. This neglect the Duchess deeply resented, and never forgave.'—vol. i. p. 361.

'The Bedford faction was called in the satires of the day *the Bloomsbury Gang*—Bedford House standing in Bloomsbury Square.* Of these the chief were *Earl Gower*, *Lord Sandwich*, and *Rigby*' (vol. ii. p. 441). 'Lords *Gower* (*Lord Chamberlain*, afterwards *Lord President*), *Weymouth* (*Secretary of State*), and *Sandwich* (*First Lord of the Admiralty*),—all had parts, and never used them to any good or creditable purpose. The first had spirit enough to attempt any crime; the other two, though *notorious cowards*, were equally fitted to serve a prosperous court. And *Sandwich* had a predilection to guilt, if he could couple it with *artifice and treachery* (*ib.*). *Weymouth* (*Secretary of State*) neither had nor affected any solid virtue. He was too proud to court the people, and too mean not to choose to owe his preferments to the favour of the Court or the cabals of faction. He wasted the whole night in drinking, and the morning in sleep, even when Secretary of State. No kind of *principle* entered into his plan or practice, nor *shame* for want of it. His vanity made him trust that his abilities, by making him necessary, could reconcile intrigue and inactivity. His *timidity* was womanish, and the only thing he did not fear was the ill opinion of mankind.'—vol. iv. p. 240.

* Lord Tavistock, only son of the Duke and Duchess of Bedford, a very amiable young man, whom even Walpole praises (though, as usual, from a partial motive), was killed in 1767 by a fall from his horse. As our readers know, the vile libel of Junius on this subject has been refuted fifty times. Well, hear Walpole:—

'The indecent *indifference* with which such a catastrophe was felt by the *faction* of that family, spoke too plainly that Lord Tavistock lived a reproach and terror to them. The Duke, his father, for a few days almost lost his senses—and recovered them *too soon*. The Duchess was *less blameable*, and retained the compassion longer. While all mankind who ever heard the name of Lord Tavistock were profuse in lamenting such a national calamity, it gave universal scandal when, in a little fortnight after his death, they beheld his father, the Duke, carried by his creatures to the India House to vote on a factious question.

'This *unexampled insensibility* was bitterly *pressed home* on the Duke two years after in a public libel [Junius]. Yet it surely was savage wantonness to taunt a parent with such a misfortune: and of flint must have been that head that could think such a domestic stroke a proper subject for insult, however *inadequate* to the world the anguish appeared: how steeled must have been that nature that could wish to recall the feelings of a father on such a misfortune!'—*Mem.* ii. 440.

'Very true—very just; but why then did the 'tender heart' of Walpole record the savage slander, with the additional venom of attesting its historical truth? The cruelty of Junius may be—not palliated, but at least—accounted for, by the temporary madness of party or some such motive of personal injustice; but what can be said for Walpole, who, with his eyes open to the infamy of such conduct, and with his pen flowing with indignation against it, takes the especial trouble of transplanting it from what he must have thought an ephemeral libel into the recording pages of his own Memoirs? And then he crowns his inconsistency with—

'In Borgia's age they *stabbed with daggers*—in *ours* with the pen.' (!) He being himself the most general and savage '*stabber* with the pen' that the age produced.

The other members of that Cabinet will appear in subsequent ministries.

Next came Mr. Grenville's administration.

'Mr. GRENVILLE had hitherto been known but as a fatiguing orator and indefatigable drudge, more likely to disgust than to offend. Beneath this useful unpromising outside lay lurking great abilities: courage so confounded with *obstinacy* that there was no drawing a line between them—good intentions to the public without one great view—much economy for that public, which, in truth, was the whole amount of his good intentions—*excessive rapaciousness and parsimony* in himself—*infinite self-conceit, implacability of temper, and a total want of principle*. . . . His ingratitude to his benefactor, Bute, and his reproaching Mr. Pitt . . . were but too often paralleled by the *crimes* of other men; but scarce any man ever wore in his face such outward and visible marks of the *hollow, cruel, and rotten heart* within.'—vol. iv. p. 271.

'The reversion of Lord Temple's estate could make even the inflexible Grenville stoop; and if his *acrimonious heart* was obliged to pardon his brother [Lord Temple], it was *indemnified by revenge on his sister's husband* [Mr. Pitt].—vol. ii. p. 174.

Lord Egremont—*Secretary of State*—

'was a composition of *pride, ill-nature, avarice*, and strict good breeding, with such infirmity in his frame that he *could not speak truth* on the most trivial occasion. He had humour, and did not want sense; but he had neither knowledge of business nor the smallest share of parliamentary abilities.'—p. 272.

Lord Halifax—*Secretary of State*—

'was the *weakest*, but at the same time most amiable of the three. His pride, like Lord Egremont's, taught him much civility: he spoke readily and agreeably; and *only wanted matter and argument*. His profusion in building, planting, and on a favourite mistress, had brought him into great straits, from which he sought to extricate himself by *discreditable means*.'—*ib.*

Then came the first Rockingham administration.

'The nomination of LORD ROCKINGHAM for minister at any season would have sounded *preposterous*—in the present, sufficient alone to defeat the system.'—vol. ii. p. 100.

'He had so weak a frame of person and nerves that no exigences could surmount his timidity of speaking in public: and having been only known to the public for his passion for race horses, men could not be cured of their surprise in seeing him First Minister.'—*ib.* 19.

'He was *more childish* in his deportment than in his age. He was *totally void of all information*. *Ambitious, with excessive indolence*; fond of talking of business, but dilatory in the execution; his *single talent* lay in attracting dependents; yet, though proud and self-sufficient, he had almost as many governors as dependents.'—vol. ii. p. 197.

'Lord

'Lord Rockingham's *childish arrogance and indiscretion.*'—vol. ii. p. 298.

'Rockingham, a *weak, childish, and ignorant man.*'—vol. iii. p. 334.

Then we have some *additional sneers* at his nearest and dearest friend, *Conway*—*Secretary of State* in that administration :—

'The *disgusting coldness* of *Conway's* manner would revolt those he met at court, and I foresaw (though not to the degree I found it afterwards) how little he was made to ingratiate himself with strangers, and consequently to conduct the House of Commons. To talk to Conway against public opinion was preaching to the winds. His heart was so cold that it wanted all the beams of popular applause to kindle it into action.'—vol. ii. pp. 195, 213.

* *Mr. Dowdeswell*—*Chancellor of the Exchequer* :—

'The office of *Chancellor of the Exchequer* was bestowed on *Dowdeswell*, who was so suited to the drudgery of the office, as far as depends on arithmetic, that he was fit for nothing else. *Heavy, slow, methodical* without clearness, a *butt for ridicule*, unversed in every graceful art, and a stranger to men and courts, he was only esteemed by the few to whom he was personally known.'—vol. ii. p. 196.

Lord Dartmouth—*President of the Board of Trade*—

'only stayed long enough to *prostitute* his character and authenticate his hypocrisy.'—vol. iv. p. 84.

Then came what is called LORD CHATHAM's second administration, in which General Conway continued the leader of the House of Commons.

So great a name as Lord Chatham's, and his most extraordinary conduct at this period, deserve more copious extracts, which we give the rather because they confirm the view which we formerly took of the *eccentricity* of this period of his career, and because he is, of all others, the statesman towards whom Walpole seems to have felt impartially—or, at least, with only a favouring partiality. In fact, he almost worshipped him, till the official connexion, and we may add, something of official conflict, between Conway and Lord Chatham brought Walpole into a nearer view and more accurate judgment of that extraordinary man. Walpole seems to have had little or no doubt—nor indeed had Lord Chatham's colleagues—that he was, during his second administration, under the influence of *insanity*.

Walpole opens the following general observations on his ministerial character :—

'Peace was not his element; nor did his talent lie in those details that restore a nation by slow and wholesome progress. Of the finances he was utterly ignorant. If struck with some great idea, he neither knew how, nor had patience to conduct it. He expected implicit assent—and he expected more—that other men should methodize and superin-

tend, and bear the fatigue of carrying his measures into execution ; and, what was worse, encounter the odium and danger of them, while he reposed and was to enjoy the honour, if successful. . . . His conduct in the late war had been the same. He drew the plans, but left it to the Treasury to find the means ; nor would listen to their difficulties, nor hold any rein over their ill-management.'—vol. ii. p. 365.

He then proceeds to particulars. Mr. Pitt—even before his administration was completed—

'had already commenced that extraordinary scene of seclusion of himself which he afterwards carried to an excess that passed, and no wonder, for a long access of *phrensy*.'—p. 342.

'The *mad situation* to which Lord Chatham had reduced himself.'—*ib.* p. 402.

'The *pride and folly* of Lord Chatham.'—*ib.* p. 402.

'The *wildness* of Lord Chatham baffled all policy.'—*ib.* p. 416.

'The *madness or mad conduct* of Lord Chatham.'—vol. iii. p. 67.

'Lord Chatham's wild actions of passion and scorn.'—*ib.* p. 435.

'The Chancellor Camden had given many hints of his friend's *frenzy*.'—vol. iii. p. 251.

'As if there were dignity in *folly*, and magic in *perverseness*—as if the way to govern mankind was to insult their understandings,—the conduct of Lord Chatham was the *very reverse of common sense*, and made up of such undissembled scorn of all the world, that his friends could not palliate it, nor his enemies be blamed for resolving it into *madness*. He was scarce lame, and even paraded through the town in a morning to take the air ; yet he neither went to the King, nor suffered any of the ministers [*his colleagues*] to come to him.'—vol. ii. p. 426.

And again—

'Lord Chatham might have given firmness and almost tranquillity to the country ; might have gone farther towards securing our finances than any reasonable man could have expected ; but, alas ! his talents were not adequate to that task. The multiplication-table did not admit of being treated as epic, and Lord Chatham had hit that one style. Whether *really but of his senses*, or conscious how much the *mountebank* had concurred to make the great man, he plunged deeper and deeper into retreat, and left the nation a prey to faction and to insufficient persons that he had chosen for his coadjutors.'—vol. ii. p. 433.

We then have, at a length too great for an extract, a very curious account of what certainly looks like *phrensy* in Lord Chatham's morbid anxiety to re-purchase the villa at Hayes, which he had not long before disposed of to Mr. Thomas Walpole, from whom Horace had the details, which, as little exaggerated, perhaps, as any of Horace's anecdotes, are a curious and melancholy picture of Lord Chatham's interior life at this critical time.

We have also the still less suspicious evidence of the Duke of Grafton's

Grafton's account—in an autobiography, with a few extracts from which the Editor has been allowed to enrich this work—of an interview which, with great difficulty and after long delays, he, the First Lord of the Treasury, had obtained from his mysterious colleague: the Duke says—

“Though I expected to find Lord Chatham very ill indeed, his situation was different from what I had imagined: his nerves and spirits were affected to a dreadful degree, and the sight of his great mind, bowed down and thus weakened by disorder, would have filled me with grief and concern even if I had not long borne a sincere attachment to his person and character.”—vol. iii. p. 51.

With all this evidence, and recollecting that both his sisters were indisputably mad, and that one of them, Anne Pitt, who, as Walpole once wittily said to a French acquaintance, resembled him ‘*comme deux gouttes de—feu*,’ died, after a long exhibition of talent and eccentricity, quite insane, we can hardly doubt that he was labouring under a strong nervous disturbance. So, certainly, thought the Duke of Grafton—when, subsequently exasperated by some of Lord Chatham's wild and unfounded assertions in the House of Lords, he told him to his face that ‘*they were the effect of a distempered mind brooding over its own disappointments*’; but we doubt whether it was not a disturbance of the same nature (though of greater intensity) as that under which Walpole himself appears to have habitually laboured—the result, namely, of allowing his clear and powerful intellect to be overclouded and subdued by a proud, passionate, and feverish temper. And, on the whole, we adhere to the opinion expressed in our Article on Lord Chatham (vol. lxvi. p. 253), that, seeing how sudden and complete his recovery was on going out of office, and with what more than juvenile vigour, spirit, and ability he threw himself again into the stormy torrent of faction, we cannot excuse, on the plea of mere physical and involuntary infirmity, a long course of conduct so perverse, ungrateful, and unprincipled at the time, and in its consequences so degrading and calamitous to his neglected country and his insulted Sovereign. We may admire Lord Chatham's great oratorical talents and soaring spirit, but we can neither esteem nor respect him. His was, we believe, the most disastrous glory that ever intoxicated—and when the intoxication was over—enervated our country, and planted the first germs of revolutionary disease in the Constitution.

Lord Chatham's *Lord Chancellor was*

‘*Lord Camden, whose character did not clear up as he proceeded, but was clouded with shades of interest and irresolution, and when it veered most to public spirit was subject to squalls of time-serving, as by the Court it was taxed with treacherous ambiguity.*’—vol. iii. p. 251.

His

His *Chancellor of the Exchequer* was 'that meteor' Charles Townshend,* who died unexpectedly in 1767:—

'Though cut off so immaturesly, it is a question whether he had not lived long enough for his character. His genius could have received no accession of brightness; his faults only promised multiplication. He had almost every great talent, and every little quality. His vanity exceeded even his abilities. With such a capacity he must have been the greatest man of this age, and perhaps inferior to no man in any age, had his faults been only in a moderate proportion—in short, *if he had had but common truth, common sincerity, common honesty, common modesty, common steadiness, common courage, and common sense.*'

The DUKE OF GRAFTON was left by the resignation of Lord Chatham at the head of the administration; of which indeed, by Lord Chatham's seclusion, he had all along been the effective chief—but Walpole (at one time in much friendship with him) gives the following very unfavourable estimate of his fitness for the post:—

'The *negligence and disgusting coldness* of the Duke of Grafton.'—vol. iii. p. 106.

'The *moody and capricious temper* of Grafton.'—vol. iii. p. 267.

'His *unfitness* for the first post of the state.'—vol. iv. p. 66.

'The King was worn out with Grafton's *negligence and impracticability.*'—p. 67.

'His fall was universally ascribed to his *pusillanimity*; but whether betrayed by his fears or his friends, he had certainly been the chief author of his own *disgrace*. His *haughtiness, indolence, reserve, and improvidence* had conjured up the storm, but his *obstinacy and feebleness*—always *relaying* each other and always *mal-à-propos*—were the radical cause of all the numerous absurdities that discoloured his conduct and exposed him to *deserved reproaches*; nor had he depth of understanding to counterbalance the defects of his temper (p. 69). The details of his conduct were as *weak and preposterous* as the great lines of it' (p. 70).

LORD NORTH had become Chancellor of the Exchequer on Mr. Townshend's death; and on the Duke of Grafton's secession, became First Lord of the Treasury, but there was little other change in the ministry.

'LORD NORTH had neither system, nor principle, nor shame, but enjoyed the good luck of fortune with a gluttonish epicurism that was

* There is an amusing instance of Townshend's amazing talents, and more amazing incongruities of character, detailed by Walpole (iii. p. 22); and it is made additionally curious by the Editor's having been able to recover another and authentic account of the same transaction from Sir George Colclough's *Memoirs*, which shows, in a remarkable way, Walpole's style of exaggeration—but the whole is too long to be extracted.

equally careless of glory or *disgrace*. As a minister he had no foresight, no consistence, no firmness, no spirit. He miscarried in all he undertook in America—was more improvident than unfortunate, and *less unfortunate than he deserved to be*. If he was free from vices, he was as void of virtues; and it is a paltry eulogium of a prime minister of a great country—yet the best that can be allotted to Lord North—that though his country was ruined under his administration, he preserved his good humour, and neither felt for his country nor for himself.—vol. iv. pp. 80–83.

This character, bad as it is, of Lord North is one of the least defamatory in the whole work; but even this '*paltry eulogium*'—the positive merit of good humour, and the negative one of not meaning all the mischief he did—he probably owed to a small fact which we have already quoted in another place. '*In the payments of my office bills,*' says Walpole, '*I always received justice and civility from Lord North.*'—*Works*, vol. ii. p. 369.

The Chancellor Bathurst—

'was too poor a creature to have any weight.'—vol. iv. p. 84.

Lord Rochford—*Secretary of State*—

'less employed, had still less claim to sense, and none at all to knowledge.'—*ib.*

Lord Suffolk—*Secretary of State* :—

'his soul was harrowed by ambition, and as he had not parts to gratify it, he sought the despotism of the Crown as means of gratifying his own pride. He was totally unpractised in business, pompous, ignorant, and of no parts, but affecting to be the head of Grenville's late party.'—*ib.*

Lord George Germaine—*Secretary of State*—

'was proud, haughty, and desperate.'—vol. iv. p. 84.

Lord Halifax—*Privy Seal*—

'a proud, empty man.'—vol. iv. p. 208.

Lord Hillsborough—*Secretary of State*—

'was a pompous composition of ignorance and want of judgment.'—vol. iv. p. 199.

Such were, according to Walpole, the talents and characters of the principal statesmen with whom George III. had to conduct the affairs of his empire in almost, if not altogether, the most critical and difficult period of our history. We need not repeat how far we are from adopting these gloomy pictures as likenesses—the supposition of such a monstrous and yet uniform assemblage of knaves and fools is not merely contradicted by much indisputable evidence, but it outrages probability and libels even human nature itself. But Walpole's evidence must be taken altogether;—we are forced to meet his representations of George III. by his representations of those with whom the King had to deal, and

and we must explain and correct Walpole's malevolence against the objects of his secret enmity by thus exposing his sweeping malignity against all mankind.

Party, however, it must be after all confessed, is an odious and cancerous corruptor of the human heart, and it is but too certain that politicians will employ against one another, and even against their sovereign—whom they are apt to look at as a common plunder—both arts and violences which, as private gentlemen and in the ordinary intercourses of man and man, would disgust their taste and revolt their feelings. Hear Walpole's own confession of his advice to his ministerial friends about the very time when he was so pleased with the King, and the King as he fancied so pleased with him, that he thought of asking a great favour from his Majesty:—

'It was now the 29th of May, 1766. I pressed the Ministers to put an end to the session to prevent their resigning before Parliament rose, and to keep them in place till the eve of the next session; that if no circumstances should arise in their favour during that interval, they *might surprise and distress the King* by a sudden resignation, or *force him* to give them better terms.'—vol. ii. p. 327.

See also the Earl of Chatham, recently loaded with wealth, honours, and all kinds of personal favour, and acknowledging the most cordial, delicate, and almost filial attentions from the King:

'Growing more inflammatory, he drew a picture of the late King, who, he said, was *true, faithful, and sincere*, and who, when he disliked a man, always let him perceive it—a portrait intended as a satirical contrast to the character of the reigning monarch.'—vol. iv. p. 101.

And in the same debate his chosen follower, Lord Shelburne, recently *Secretary of State*—

'was of all the most warm, agreeable to his maxim that the *King was timid and must be frightened*.'*—vol. iv. p. 102.

The retirement of the Duke of Grafton, whom the King had treated with the greatest regard, and who showed subsequently a due sense of his Majesty's personal kindness and public merits, is thus represented by Walpole:—

'Nothing could be more distressful than the situation into which the Duke of Grafton had *brought the King, and in which he abandoned him*.'—vol. iv. p. 74.

And even the Rockingham party—the best-tempered and most

* It is remarkable that very rare and slight mention is made of Lord Shelburne, father of the present Marquis of Lansdowne, one of the most active and conspicuous politicians of the day, and whom we should for many reasons have expected to find very prominent in the pages of Walpole. There must be some secret reason for this. Supposing that the manuscript has been printed without reserve, we cannot account for its comparative silence as to Lord Shelburne.

moderate of all the factions of the day—disgraced itself, says Walpole, by intrigues of a still deeper guilt.

‘Lord North wished to avoid *a war with Spain*; nor was the unprejudiced part of the nation at all eager for war. The Rockingham party called for it to *embarrass the Government*, and the patriots in the City meant to *clog the operations* of it.’—vol. iv. p. 183.

The King—the victim, therefore, of such passionate and unceasing conflicts—the only fixed object amidst such fluctuations of interests, such ambition, such treachery, such violence—the one mediator, or rather medium, by or through whom all these conflicting, and strong, and greedy rivalries were to be restrained, or reconciled, or preferred—is it, we say, just—is it rational—is it common sense or common honesty to make the King in any degree responsible for these proceedings, in which he was the greatest sufferer?—or to give any credence to the various forms of vexation and disappointment which, according to their various tempers, would be taken and promulgated by the ‘*un ingrat*’ and the ‘*dix mécontents*’ which it was his Majesty’s daily and painful but inevitable duty to make?

But truth at last prevails. Every new circumstance of evidence that arises or transpires—even those that, like Walpole’s Memoirs, were designed for the very contrary object—have the effect of vindicating the character of the King, and raising him above the gross misrepresentations and malignity of faction in all the lustre and purity of his blameless character as one of the best of kings and the honestest of men.

We have been so used to see Walpole’s works miserably edited, that we are thankful for the present Editor’s very moderate performance of his task, and will not dwell on many omissions, several inaccuracies, and some errors with which he might be justly reproached. He has afforded a good deal of useful explanation, and has, particularly in the two last volumes, taken occasions to correct misstatements and mitigate the malignity of the author. He has availed himself, for this purpose, of

expected. His vindications are confined, if not altogether, yet very nearly so, to the *Whig* statesmen, for whose descendants he appears to feel a personal regard—as the Duke of Grafton, the Duke of Bedford, and Lord Holland. He occasionally, too—but somewhat perfunctorily, we think—ventures to extend a little modicum of justice to the King. We wish that his exercise of this judicial power had been more extensive in scope and more decided in quality. We cannot at all agree in an opinion which he quotes, though he does not altogether adopt, from the late Lord Holland's preface to the first *Memoirs*, that 'it is no part of the duty of an editor to correct the misrepresentations or errors of his author.' We doubt whether this would be just in almost any case, but undoubtedly in the case of all *Memoirs*—and in that of those *Memoirs* especially—it was Lord Holland's editorial duty, and is the duty of every one who happens to be, by circumstances, made accessory to the promulgation of misrepresentation or error, to do his best to supply an antidote to the poison which he contributes to spread. This duty is peculiarly strong when, as in the present case, the work is published at a time when the slander can still give pain to surviving friends and relatives as well as falsify history, and while there are still living traditions and extant documents, sufficient, with intelligent management, to correct it. Our slight censure of the Editor on this point has rather a smack of praise—what he has done makes us wish that he had done more. The narrow limits, desultory nature, and hasty composition of an article in a review, have not permitted ourselves to notice a tithe of the *corrigenda* and *castiganda* of Walpole's text; but we flatter ourselves that we have, now as heretofore, contributed something to that every day more desirable object; we at least have omitted no opportunity of recording a solemn and, we hope, a useful protest against the personal credit and historical value of the *Memoirs* of Horace Walpole.

December, 1845. *

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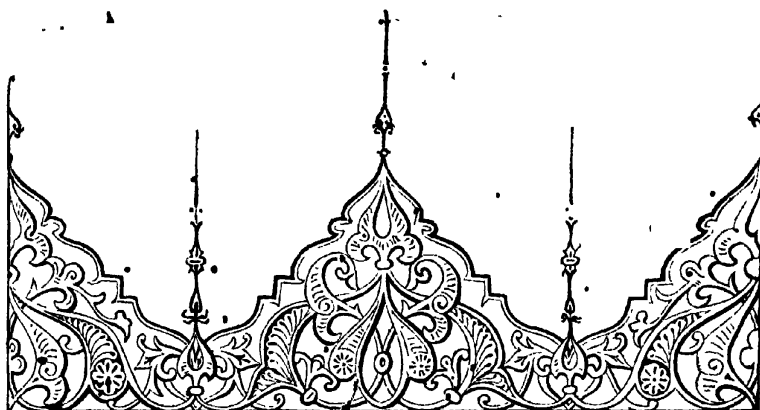
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IN the beginning God created the heaven and the earth.

ENGLISH.

2 And the earth was without form and void ; and darkness *was* upon the face of the deep. And the Spirit of God moved upon the face of the waters.

PICA.

3 And God said, Let there be light : and there was light.

4 And God saw the light, that *it was* good : and God divided the light from the darkness.

SMALL PICA.

5 And God called the light Day, and the darkness he called Night. And the evening and the morning were the first day.

6 And God said, Let there be a firmament in the midst of the waters, and let it divide the waters from the waters.

• LONG PRIMER.

7 And God made the firmament, and divided the waters which were under the firmament from the waters which were above the firmament: and it was so.

BOURGEOIS.

8 And God called the firmament Heaven. And the evening and the morning were the second day.

9 And God said, Let the waters under the heaven be gathered together unto one place, and let the dry land appear: and it was so.

BREVIEW.

10 And God called the dry land Earth; and the gathering together of the waters called he Seas: and God saw that it was good.

MINION.

11 And God said, Let the earth bring forth grass, the herb yielding seed, and the fruit-tree yielding fruit after his kind, whose seed is in itself, upon the earth: and it was so.

12 And the earth brought forth grass, and herb yielding seed after his kind, and the tree yielding fruit, whose seed was in itself, after his kind: and God saw that it was good.

NONPAREIL.

13 And the evening and the morning were the third day.

14 And God said, Let there be lights in the firmament of the heaven to divide the day from the night, and let them be for signs, and for seasons, and for days, and years.

RUBY.

15 And let them be for lights in the firmament of the heaven to give light upon the earth: and it was so.

16 And God made two great lights; the greater light to rule the day, and the lesser light to rule the night: he made the stars also.

PEARL.

17 And God set them in the firmament of the heaven to give light upon the earth.

18 And to rule over the day and over the night, and to divide the light from the darkness: and God saw that it was good.

DIAMOND.

19 And the evening and the morning were the fourth day.
20 And God said, Let the waters bring forth abundantly the moving creature that hath life, and fowl may fly above the earth in the open firmament of heaven.

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PASTORAL ADDRESS of the GENERAL ASSEMBLY, met at Edinburgh, in the year 1845, to the People under their Charge.

DEARLY BELOVED BRETHREN,

By the good hand of our God upon us, we are now entering, as a Church, on the third year of our separation from the State. and looking back to the era of that event, we have cause to "sing of mercy and judgment." In every view of it, the step then taken was solemn, critical, and momentous. An undoubted majority of the Ministers and Elders chosen, according to the laws of the Church, to represent the National Church of Scotland, in the General Assembly, summoned to meet at Edinburgh in May 1843,—having come to the deliberate conviction that the interpretation finally and conclusively put upon the terms of the Church's civil establishment was incompatible with her essential liberty, as a Church of Christ, and her obligation to serve and obey Christ alone,—and finding, moreover, that the brethren elected as members of Assembly were no longer free to discharge their duty, according to the word of God,—felt it impossible to consent to the Assembly proceeding to business, in the character in which alone it was now to be recognised by the State. In these circumstances, they saw that to continue the unequal struggle in defence of the constitutional privileges of the Church, was no longer consistent with her higher Christian duty; and that nothing now remained but to testify against the injury inflicted on the nation, rather than the Church, and to relinquish the benefits of the Establishment. The PROTEST read on their behalf, by the Moderator of the former Assembly, in the presence of Her Majesty's Commissioner, before they left the customary place of meeting,—and the ACT OF SEPARATION and DECLARATION OF DEMISSION, thereafter executed, when the Assembly had been constituted in another Hall,—completed this grave transaction. and the Church of our Fathers ceased to be the *Established*, that she might continue to be the Free, Church of Scotland.

Such, according to our view, is the meaning of what was then done.

This claim, on our part, being one ground, and perhaps the principal, of the offence which various parties have taken, it becomes important that it should be rightly understood, at least by our own people, and that the reasons which warrant, as well as the responsibilities which flow from it, should be deeply weighed.

Thus, in regard to other bodies of Christians, previously existing in a position of separation from the State,—if our continuing to challenge to ourselves the name and character of that historical Church which we revere and love, were the result of mere pertinacity, or of a desire to keep up an invidious distinction between them and us, it must be condemned as schismatical and unjust. But any such construction of this claim we earnestly and anxiously disown. The faithful brethren, who, during the previous century, felt it their duty, either to stand aloof, or to secede, from the Establishment, must ever be held entitled to be included, along with ourselves, in all that the claim can fairly be understood to imply. Through our own shortcomings and sins, in great measure, while we continued in connection with the State, we lost, successively, many of the best of our ministers and people; and the different bodies into which they formed themselves, while waiting for such reformation as might again unite them, undoubtedly form parts of the original National Church, reformed by Presbyters from Popery, which, amid a variety of dangers and distractions, and broken, alas! into too many fragments, still, by God's blessing, subsists in our land. The only peculiarity distinguishing our recent movement from the secessions which preceded it, is our professing to represent the body from which the fathers of these other sections of the Church were constrained to separate, and to which, when duly reformed, they were willing to return. Nor is this profession arbitrarily taken up by us; it was forced upon us by the course of events; and the consistency of our testimony demands it. It was not as a protesting minority that we carried on the struggle which issued in the disruption of the Establishment, but as the Church itself, called to contend and negotiate with the State respecting the terms of the connection between them. Ours was not the case of a body of true men, more or less numerous in the Church, setting themselves in opposition to a corrupt administration of the Church's affairs, by her rulers, and retiring

when their opposition proved unavailing. In the present instance, it was the Church itself, as represented in its courts, which, in obeying Christ's laws, and vindicating its own constitutional rights, came into collision, first with the subordinate, and then with the supreme, civil power: and it was the Church, as such, that, having warned the State beforehand, in the Claim of Rights adopted by the Assembly in 1842,—rather than embroil matters farther,—resolved, in the year following, to separate from the State, and did actually effect the separation.

The question, therefore, is, between the Protesters of 1843, and the Brethren whom they left behind; or rather, between the two ecclesiastical communities which they have been found respectively to represent; both of which lay claim to that historical identity, which, before the event then completed, the Established Church, as a whole, was generally held entitled to assert.

It is a question of high principle,—not to be decided by the accident of State-support, or the comparative numbers of those who have taken the opposite sides.

On the one hand, those whom we left in the Establishment had the sanction of the civil law, and the power and patronage of the State, in favour of their claim, and a majority of ministers were found ultimately either approving the terms imposed upon the Establishment, or, at least, not prepared to abandon its advantages. We, on the other hand, might reckon among our adherents, the greater number, it is believed, of the elders, and certainly a large majority—in some districts nearly the whole—of the people, of the Church.

But neither civil authority, on the one hand, nor the popular voice, on the other, can determine this weighty matter.

"To the law and the testimony" we make our appeal: to that Divine Word, in which we find clearly revealed those great essential principles respecting the Church of the living God, which we have been called to vindicate, and, in the vindication of which, the identity of the Church of our Fathers has always consisted. From generation to generation, since it was reformed from Popery, that Church is to be traced and known, by its adherence, more or less faithfully, to one great testimony, for the crown-rights of the Redeemer, and the spiritual liberty of his people, under Him. A free gospel to be preached in the world, and a free government to be exercised in the Church—a gospel free from all human inventions, and a government free from all secular interference—Christ to be set forth as the only and all-sufficient Saviour of sinners of mankind, and Christ to be set up as the only and all-sufficient Ruler over the community of the faithful: these have been five symbolic words of the Reformed Scottish Church from the beginning; and by these, its identity proved, whether sheltered under the shade of royal favour, or hunted, as a partridge, on the mountains.

And here, as having the rule ever yea in the Lord,—not as though we would dictate to your consciences, but as watching for your souls,—we feel it our duty to warn you, Dear Brethren, against the attempt now so commonly, and we fear, sometimes, successfully made, to represent the matters at issue between us and those who still adhere to the Establishment, as of minor importance; with a view, as it would seem, to cherish the persuasion that it is not of any very serious consequence, what side Christian men may take in the controversy. That this should be more or less the impression of strangers, unacquainted with our past contentions and present testimony, is not surprising: that those who have been induced to conform to the Establishment, in opposition to their former profession, should be desirous of extenuating the amount of the change which they have made, is natural: and it is evidently the interest of those from whom we have separated to spread such a feeling, for, in present circumstances, it is they alone who can gain by it. But you will not suffer yourselves to be deceived. It is always a suspicious thing when men seek to win your acquiescence, or your neutrality, not by satisfying you on the merits of the question at issue, but by making you regard it with indifference; nor can any habit of mind be more dangerous, in practical religion, than that which would lead you to set aside or supersede any inquiry, as insignificant, instead of setting yourselves to determine it, under the guidance of the Spirit, and by the standard of the word of God. In the present instance, this plea is singularly unhappy in the mouths of those, who might have prevented the Disruption by concessions, to which, if the difference between us be so trifling as they now represent it to be, they would have had no scruple in consenting: for, assuredly, if the guilt of schism lie anywhere, it must be with those who, viewing the points involved as trifling, maintained an uncompromising attitude to the last, and even hurried on to the extremity:

we, at least, cannot fairly incur this blame, who all along avowed our conviction that the difference was vital.

We at once admit that, with reference to the feeling on which our friends of the Establishment and ourselves ought to stand towards one another, whether collectively or individually, there may be room for the exercise of a sound discretion; and the most conscientious may differ as to the kind and degree of intercourse to be kept up, according to the strength of their convictions, and the circumstances in which they may be placed. We are not disposed to lay down any instructions on this subject, beyond the simple apostolic rules; "Let every man be fully persuaded in his own mind," and "Let all things be done in charity." We exhort you to avoid all "bitterness and clamour and evil speaking," and that "wrath of man which worketh not the righteousness of God." Neither is it our wish to multiply or exaggerate the faults of the Establishment: it is our part, rather, to search out our own. The injuries inflicted on our congregations, by the refusal of liberty to worship God,—and on individual members, by other methods of vexatious persecution,—injuries for which the only plea is the support of the Establishment, and which the Establishment has, to say the very least, done nothing to prevent,—are to be endured with meekness, in the hope of a just redress; the reproaches heaped upon our heads must not be suffered to provoke retaliation—and while it is impossible, and would not be right, to shut our eyes to such differences as may be noted between the two bodies,—in the faithful exercise of discipline, the full preaching of the gospel, the extent and energy of missionary operations, the cultivation of unity and brotherly love, the evidences of the Lord's dealings, whether gracious or corrective, in his providence and by his Spirit,—and other marks whereby a faithful branch of his church may be distinguished,—let these things be observed, rather for the regulation of our own conduct, than for judging theirs.

But upon the essential merits of our testimony, let your judgment be clear, your resolution firm, and your conduct decided and unequivocal. Let no man deceive you with vain words. You may be told that the point at issue between them and us is a trifle,—that they hold the same principles with us,—that they are opposed to violent settlements,—that such settlements accordingly do not take place,—and that practically they are not interfered with, in the discharge of their duty, by the civil power. We remind you of the concessions which they have made, and the constitution which they have consented to adopt. They have admitted the laws of the Church to be superseded by the decisions of civil judges,—ministers and elders to be deprived of their right to rule, by no act of the Church, but by the judgment of a civil tribunal,—processes against ministers to be interrupted, and men deposed from the ministry for laudable offences to be continued in the exercise of all their spiritual functions, by the summary interdicts of civil law; and, if they are now suffered to carry on their business unmolested, it is because they carry it on under the orders and regulations of the civil power, and liable to be coerced in their most spiritual procedure, if, in judging for themselves what the mind of Christ is, they should at any time transgress them. The whole matter of the induction of ministers,—the constitution of the church courts from the lowest to the highest,—the adjustment of pastoral superintendence and the supply of ordinances,—the conducting of processes,—and in a word, their entire ecclesiastical administration,—is subject to the supervision of the Civil Courts; and whatever forbearance these may show, while the Established Church is docile and cautious,—there is no conceivable case in which they might not now legally interfere, were she to transgress what they might be pleased to recognise as the limits fixed by the Legislature. What security there can be, under such a system, for a free and pure gospel being preached, or the government of Christ's Church being faithfully administered,—and how far Christian men ought to countenance a church so situated,—judge ye; and let our friends still attached to the Establishment, judge also.

For ourselves, we have not "removed the ancient landmarks which our fathers have set;" we stand upon the old paths: we claim, indeed, no apostolic succession for a clerical order invested with priestly power; but, blessing God for the continued existence of a standing ministry among us, perpetuated from age to age by the call of His Spirit and "the laying on of the hands of the Presbytery," we humbly and gratefully trace our unbroken descent, from the preachers of God's word and their faithful people, who, nearly three centuries ago, came out of Popish Babylon, in our land. Nor is it for any purpose of vain-glorv, or in any spirit of Sectarianism, that we do so,

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but that we may "regard the operation of the Lord's hand," and deepen, in our own minds, the sense of our responsibility. Passing along the line of Scotland's eventful history, we identify ourselves with the men who framed the First and Second Books of Discipline; with the remnant who, in evil days, resisted the imposing of the yoke of Prelacy, and a lordly domination, whether spiritual or civil, in the Church; with the Assembly of 1638, and the Second Reformation which was then effected; with the church and nation, pledged in solemn covenant before God, to seek the extirpation of error, and the establishment of truth and unity, throughout these realms; with the same parties consenting to the designs and proceedings of the Westminster Assembly, and adopting the standards of doctrine, worship, and government—the Confession of Faith and the Directory,—there prepared; with the scattered exiles and the army of the martyrs in the reign of the Second Charles; with the Fathers and Brethren who, coming out of fiery persecution at the glorious era of the Revolution, obtained, at last, a scanty, precarious, and reluctant recognition, by the State, of the principles of God's word for which they, and those who had gone before them, had been enabled to testify, to suffer, and to die! And now, in these last days, delivered, in God's providence, from that connection with the State, under the Revolution Settlement, which, even at the time, through its defects, kept some of our covenanting forefathers aloof, and which, through its abuses, has since occasioned more than one secession; prepared, moreover, both to own our former backslidings and to adjust present causes of offence; and counting it the highest honour to which we could aspire, to consolidate the fragments and rebuild the walls of the Ancient and Free Reformed Church of Scotland; we cannot but believe that we occupy a position, which, were the spirit of confidence and conciliation vouchsafed to ourselves and the other true and evangelical Presbyterians around us, might enable them and us together, working, under God, with one accord, to accomplish what our Reformers had always so much at heart, and show what a pure gospel I can do, towards blessing the Commonwealth with prosperity and peace, as well as winning souls to Christ, and preparing them for glory.

But the past is precious and powerful chiefly in its bearing on the present; and whatever in the olden time stirs our spirits, is to be linked with the call of duty now; in this day which surely has its "sufficient evil," but which also has its promised proportion of "strength."

For what cause have we "come to this hour?"—for what sort of time are "we come to the kingdom?"—are questions which press upon us so as to admit of no delay; and which, perhaps, may be better answered now, than they could have been in the beginning of our movement. We were then "led, like the blind, by a way that we knew not." This, indeed, is a remarkable peculiarity of the whole of our proceedings,—for which we never can be thankful enough to that God who led us,—that at every step we had to take, as duty was clear, so providence was dark. From the year 1834, when, after the long rule of a party ever reckoned, by our fathers, unfriendly to the Church's purity and freedom, the Assembly began anew the work of practical reformation,—downwards, through the successive stages of the struggle, in which the work of reformation was interrupted by the necessity of defending the constitution against the civil power without, and a factious opposition within; and this work of defence, proving ineffectual, gave place at last to the only remaining duty of protesting,—all along, until the day of our Exodus, or our coming out from the State's control, we found ourselves so hedged in that no alternative was left us, as to our own conduct; and, at the same time, so enveloped in darkness, that scarce a conjecture could be formed, as to what might be the issue. So is it ever best for God's little ones to be led; with the pillar before them,—bright enough to show the way, and yet so cloudy as to hide what they are coming to,—whether danger that might daunt their weak hearts, or success that might dazzle their eyes. So has God led us. He never left us at a loss to know, if the eye were but single and the heart upright, what he would have us to do; but mercifully he left us always at a loss to anticipate what might follow from our doing it: and hence the firmness of our footing; we had no room in any one instance in which we had a choice to make, for hesitation in regard to what consistency and honesty demanded;—in no one instance had we such insight into events, as might have made us either shrink from trial, or grow heady and high-minded in our confidence. The light shone on the present; thick darkness veiled the

future; and grace was given us to walk in the light, trusting in Him who dwelleth in the darkness; for all which we praise our God: "not unto us, O Lord, not unto us, but unto thy name, be the glory."

In particular, in the last step, when,—after attempted reformation, within the Establishment, had given place to defence, and fruitless defence, again, to a parting testimony and protest,—we found ourselves, as a Church, without endowments, but free to obey Christ alone,—what deep cause had we, in the glad and grateful sense of relief from an irksome struggle, to pour our very souls into the burst of adoring gratitude that broke forth from the lips of that beloved servant of God, now taken to his rest, who then gave voice to the emotions of the great assembly,—as in tones never to be forgotten, amid the awful stillness of the vast multitude, the opening ejaculation of that first prayer rolled towards heaven: We thank thee, O Lord, that with hearts enlarged, we now approach thy throne. It was indeed, as if a load were lifted from off our spirits; and the constraint of formal fellowship with those with whom, in all that related to the House of God, we could have no real sympathy, being at an end,—the pain of suspense, also, with the anxieties of that critical hour, on which consequences so vast must turn, being well and happily over,—the emotion of our emancipated bosoms, could have found vent in no act of devotion less spiritual or sublime, than our brother was then enabled to conduct. Nor has the feeling of that day passed away; nor have we since had any cause to regret what was done; every passing year and every new event only serve to deepen our conviction of the soundness of the principles on which we acted, the seasonableness of the step we took, and the amazing goodness of our God in all the way by which he has led and helped us.

Thus, to mention but one or two instances, from how many embarrassments and perplexities are we happily delivered, by our separation from the State, in reference to the questions which the tortuous policy of worldly men is more and more forcing on the attention of all who love their country and who love their God. We refer, especially, to the rising influence of Popery, and the countenance so unhappily given to it, in the high places of the nation. We need not, brethren, to warn you against the deadly errors of that anti-christian system; nor can we now enter at large into the views which the word of prophecy gives of its character, its temporary successes, and its final overthrow. We trust the time is gone by when Christians fondly trusted to the advancing progress of civilization and the gradual diffusion of the light of the Gospel, and looked for the amelioration, or the ultimate disappearance, of Popery, under these benign influences. It was in ignorance of the depth of human corruption, and in flagrant disregard of the warnings of Holy Scripture, that such expectations prevailed: and now that, blessed be God, his Church, in all her various branches, has had her attention turned more earnestly to the predicted events of the latter times, and the circumstances connected with that second coming of her great Head and Lord, which, whatever obscurity may hang over its details, should ever have been, and now, more and more, must ever be, in its grand outlines, the bright polestar of her hope,—a juster impression is cherished of the real nature of that subtle power which is yet again to raise its head, as the power of guilty Christendom, and the instrument of God's judgments among the nations. Hence, also, a more correct idea is beginning to be formed, of the manner in which Popery is now to be opposed, as well as of the means of its destruction in the end; when Babylon and all that have trafficked with her shall perish in the day of the Lord's anger.

Suffer, on this subject, the word of exhortation, as to your present duty, and that of our Church.

And, in the first place, let us not be withdrawn from the real contest of our times, by questions and controversies, either of subordinate importance, or of less urgent practical necessity. The question respecting which we are most anxious, lest it should thus distract the friends of truth, is that which relates to the connection between Church and State; and we cannot but think that it is alike the wisdom and the duty of the Free Church of Scotland, in present circumstances, to keep herself clear from this controversy. There is no adequate call for her to engage in it. On the one hand, our principles respecting the duty of nations and their rulers, as bound, in their national and official character, to own Christ, and to aim at the advancement of his cause, are well and thoroughly known; nor is there any reason to apprehend a change of sentiment on this subject. But on the other hand, we cannot approve of existing Establishments, in which the countenance of the

State is purchased by the subserviency of the Church: we stand altogether opposed to the view upon which our rulers are now prepared to act, that truth and error may be equally endowed,—regarding that view as embodying the most dangerous infidelity; we strenuously protest against the systematic attempt now made to use all religions indiscriminately as engines and instruments of state craft, and that too, by an appeal to the most sordid motives by which human nature can be governed; we call upon the powers that are ordained of God, if they profess their inability to discern light from darkness, to withdraw from all interference on either side, lest in the coming struggle, they should be helplessly crushed; and above all, we echo the disinterested and indignant voice, which has arisen from within the English Establishment itself,—**RATHER THAN ENDOW POPERY, LET ALL ENDOWMENTS TOGETHER CEASE.** In these circumstances, we are fully justified in declining to be drawn again into this discussion; since, while maintaining that it is lawful and right to employ the national resources in support of Christ's holy gospel, we cannot approve of the manner in which they are employed at present; we cannot take any part in seeking to maintain and preserve existing Establishments; and we cannot but look with alarm on what is proposed for the future. At the same time, we are persuaded that the most ardent opponents of the principle of Establishments do not imagine that the denouncing of that principle is an adequate discharge of present duty, in reference to Protestant union and Popish error: nor can this be fairly held to be the most urgent matter on hand. Our only fear is, that the general doctrine of Establishments, and the prospects of existing institutions of that kind, might come to be so canvassed as to diminish the special and peculiar anxiety that ought to be felt respecting the progress of Popery, the countenance which it is receiving, and the duty thence arising of evangelical Protestants every where, uniting in earnest co-operation against it. Most anxiously do we deprecate, and most heartily do we exhort all our friends to beware of all that might lead to, such a result.

For we would remind you, in the second place, of the immediate and positive duty lying upon you, as members of the Commonwealth, and as members of the Church.

In your capacity of citizens, Christian patriotism demands the instant exertion of all your influence to avert the impending judgments of God from the land which you love. We are far indeed from exhorting you to become political agitators and to enter the arena of public strife. But without stepping out of your private spheres, or going beyond the line which discretion or delicacy may fix, there is not among you a man of God,—nor a mother or daughter in Israel,—who may not have some weight, and consequently some responsibility, in deciding our country's doom. We must speak plainly, and lay aside all reserve. The time is not far distant when Scotland will have to return its proportion of a New Parliament; and it would be a signal token for good if Scotland's representatives were thereafter found opposed to all favour shown to the Man of Sin. We reflect with satisfaction on the fact, that when the British Parliament sanctioned the overturning of the constitution of our Church, the Scottish members, by a large majority, were found in opposition; and when this new subject of the influence of Popery is submitted to the Scottish nation, as expressly as the Church's claim was at the last election,—should the voice of Scotland be as clear for truth and right as it was then, there would be hope for her still, at the last. For God has still some part in this once covenanted land; and if we are enabled to shake her free of the sin of Babylon, he may save her from Babylon's plagues. It is a result worthy of an effort to achieve; and it may be in the power of the most retiring among you to lend a hand in achieving it. Calmly and quietly, as God gives opportunity, you may bring home to the consciences of all concerned the duty of sending those only to the Legislature who, whatever may be their secular politics and their opinions about establishments, are prepared, for conscience sake, to resist the encroachments of Popery: and you may, at least, and above all, lend the aid of your prayers on this behalf.

And as members of the Church of Christ, we exhort you to give earnest heed to this increasing danger, and to beware of security and sloth. It is true that we have no specific measures to propose, at least in the mean time; the practical steps to be adopted being still undetermined. For the present, we call you to humble yourselves before God and consider your ways. And we affectionately remind you that there is no safeguard against the deadly errors of Popery, except in the prevalence of spiritual and vital godliness. It has been a grievous sin of the Protestant Churches, that, having lapsed into formality themselves, they have become indulgent or indifferent to the evils of Romanism. But

the age of compromise is over, and earnest times are come. Be assured, therefore, that if you would keep yourselves, and your children, and your brethren and friends, from becoming the prey of Rome's subtle priestcraft, it must be by a living faith in the priesthood of Christ; and if Rome's traditions are to be shut out, it must be by "the word of Christ dwelling in you richly." "Wherefore, gird up the loins of your mind, be sober, and watch to the end."

Nor let us forget the duty of love which we owe to the victims of that delusion from which we would be ourselves preserved. Let the claims, especially, of the *Homo Mission* in Ireland; as well as of the *Evangelical Societies* on the Continent, be liberally met; let an interest be felt in all that the Lord is doing for causing his people to come out of Babylon; let the wonderful movements among the Roman Catholics in France and Germany, with the awakenings in Madeira and elsewhere, be to us themes of praise; let us bear the case of our Roman Catholic friends, on our hearts, at the throne of grace; and let it be seen that, while we abhor their religion, we love their persons, and while we can consent to no countenance or support being extended to their institutions, we desire that there should be secured to them full justice and equal rights with ourselves, and we are anxious to extend to them, by all means in our power, those privileges of a free salvation, in which we have learned to rejoice.

The Free Church of Scotland, beloved brethren, having passed rapidly, as we have seen, from a period of reformation to one of defence, and thence again to her present position, of which the unanswered Protest of above two hundred Ministers and Elders, still lying on the table of the Established Assembly, is the emphatic symbol,—has now a precious breathing time, and such an open door for working, as well as witnessing, for Christ, as never Church, we are persuaded, had before. How long the season of respite from farther troubles may last, who can say? Now, we have union among ourselves, and much acceptance with others,—tranquillity at home, and a general peace abroad,—the hearts of our countrymen, to a large extent, with us,—the eyes of foreign Christians favourably turned towards us,—and the field of the world all before us. By the adherence of all our Missionaries, to the Jews and to the Gentiles, we have been enabled to occupy, as before, all our stations; and new Missions have been undertaken by us in India at the Cape, in Africa, and at Constantinople. The movement at home has reached all the Colonies, stirring everywhere the hearts of our expatriated countrymen; and, through our various settlements on the shores of the Mediterranean, we are becoming more and more interested in the ominous signs that hang over that central region of the earth,—comprising the seats of the Italian and the Turkish Empires, and the Land of Israel. The intercourse, also, which has been opened up with foreign churches,—the letters that are passing between them and us,—the visits of their gifted and godly men, worthy to emulate, as well as to record, the deeds of the Reformation,—all conspire to mix us up, as a Church, with the general interests of universal Christendom, more than we have been for ages past; and, in spite of our insular seclusion, our foolishness as regards all the elements of worldly influence, and the long reign of a selfish and exclusive deadness amongst us, we find ourselves forced into the very midst of, whatsoever is warm, and generous, and energetic, in the evangelical brotherhood of all nations.

Oh! that God may give us the spirit of trembling as well as rejoicing, in a position so perilous! Not for our sakes, oh Lord God, but for thy great name's sake, give strength, give wisdom, give more and more grace! Let not the enemy triumph! Let not thy people, in whose eyes thou hast given us favour, be put to shame on our account! Let it not be said of us that we knew not the time of our visitation!

And, for this end, beloved brethren, let us, as a Church, search ourselves. "A city set on a hill cannot be hid." Backsliding, unfaithfulness, inconsistency, sloth, sin—in us—after all that the Lord has done for us, and amid all that he has given us to do for him, must not only be peculiarly inexcusable, but most disastrous. A reference to the name of Christ, the hopes of his disciples, and the prospect of his enemies being converted to him throughout all the earth. Any shock among us, however slight, must be widely felt, as shaking the foundations of the whole building on the Lord's Temple in the world.

How is it, then, with you individually, and in your families? Do you feel that your attachment to the Free Church of Scotland binds you to a peculiar holiness of walk, and a high measure of spirituality and devotedness? Do you apprehend your high

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calling of God? Not that you may reflect with complacency on your being better than others, on account of your more faithful testimony, but that you may perceive how far short you come of all that that testimony implies,—we beseech you to look to the state of your hearts before God, the ordering of your households, and the manner of your fellowship with an unbelieving world; for alas! how is God's Spirit straitened among us, and what cause have we to bewail "our leanness, our leanness!"

Are you entering into the full spirit, also, of the work in which the Church is summoned to engage, in all its various branches and departments? What are your prayers for the Church? what your contributions to her several enterprises of Christian love? what is your self-denial? your self-sacrifice? your moderation, or abstinence, for conscience sake, even in things lawful, that you may avoid the very appearance of evil. render your whole way of living more exemplary, and have more to give to the cause of Christ?

What are you thinking of the state of the land in which you dwell,—its villages and the streets of its crowded towns and cities,—its vast tracts of country with scarce a teacher to train the young, or a single pastor to care for many thousand souls? How shall the fearful tide of profligacy and ungodliness be rolled back? Labourers, more labourers, is our incessant cry. We look to you for aid. We look to you for a greatly increased supply of means, for supporting a Gospel ministry and General schools: you have scarcely yet begun to give as you ought, for these objects, and we ask you to pray the Lord of the harvest, in terms of his own commandment. But we confidently and urgently demand something more.

The Free Church of Scotland expects every one to do his duty; every individual within her pale she invests with the missionary character; or rather, that Saviour who has bought his people to himself, sends them all out into the world, as truly ordained to be his missionaries, as he was himself to be missionary of the Father. In his name, we call for personal and individual exertion. Not merely in a general way, by supporting Home and Foreign Missions, but especially, by dealing with souls around you, one by one, we invite you to be fellow-workers with us, as we are with God. Let each apart, caring first for his own soul, take also another soul into his care,—his brother's or his neighbour's,—and plead with God for that soul, and with that soul for God,—and not soon desist,—but persevere long; let every man, woman and child, who prays at all, or who lives for Christ, do this; and who shall answer for the issue?

With this exhortation, for the present, we close; and, on our Lord's behalf, bid you farewell. We have many things more to say to you, but we cannot say them now. But, brethren, the time is short; the Lord is at hand. Already ungodly men are experiencing that feeling of helplessness, in their counsels and proceedings, which seems characteristic of the days when "men's hearts shall begin to fail them for fear, because of those things that are coming on the earth." Without the stay of principle, human policy is every where at fault; and a blind expediency is ruling all things. Meanwhile, the people of God have an interval, however brief and uncertain, for preparation and prayer, ere the next crisis shall arrive. And the two duties proper to such an interval are surely those indicated by God himself: "Come, my people, enter thou into thy chambers, and shut thy doors about thee: hide thyself as it were for a little moment, until the indignation be overpast" (Isa. xvi. 20): and again, "Behold, I will send you Elijah the prophet before the coming of the great and dreadful day of the Lord: And he shall turn the heart of the fathers to the children, and the heart of the children to their fathers, lest I come and smite the earth with a curse" (Mal. iv. 5, 6).

Signed, in name and by appointment of the General Assembly of the Free Church of Scotland, at Edinburgh, this 8th day of July 1845 years.

PATRICK M'FARLAN, *Moderator.*

